

STATE OF MISSOURI  
DIVISION OF PROFESSIONAL REGISTRATION

# DIMENSIONS

BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS,  
PROFESSIONAL LAND SURVEYORS & PROFESSIONAL  
LANDSCAPE ARCHITECTS



SPRING/SUMMER 2016

## CHAIRMAN'S LETTER

By: Robert N. (Bob) Hartnett, PLA



I reported in the Fall/Winter 2015 Newsletter that the Board was ready to begin developing our second strategic plan. Since that update, we have selected the People Centric Consulting (PCC) Group from Springfield, MO to facilitate and assist us in the preparation of the Plan.

With their assistance, we identified key stakeholders including Board Members, Board Staff, Division of Professional Registration Staff, and the four professional societies to represent the licensees. Strategic questions were developed by both PCC and the Board and sent to the key stakeholders. Three key areas to be studied in the strategic plan include a SWOT (strengths, weaknesses, opportunity, and threats) analysis, communication and the regulatory environment, and staffing and leadership of the Board.

The abbreviated results from the SWOT analysis indicated the following:

- Strengths:** Leadership and competence of Staff/Director  
Experienced, dedicated, and competent Board Members  
Teamwork
- Weaknesses:** Communication - internal and external  
Technology  
Restrictions and limitations due to external constraints

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## CHAIRMAN'S LETTER CONTINUED...

**Opportunities:** Improve communication and public outreach  
Legislative and regulatory opportunities  
Technology

**Threats:** Deregulation and relaxed certification requirements  
Appointments /Reappointments of Board Members  
Political attempts to limit the Board's effectiveness

In regard to communication and the regulatory environment, the survey results show that the most effective way for the Board to communicate with licensees and stakeholders is through email and the newsletter. The survey also indicates the Board provides a high value of service to the public and that public awareness of the Board is very important. In the area of staffing and leadership of the Board, the survey results indicate the importance of the Executive Director position to the stakeholders and the public, and that the Board should consider succession planning and the possible creation of an Assistant Director.

With the survey results in hand, PCC facilitated a work session during our January meeting. Four key objectives were developed including:

**Key Objective 1:** Improve education to members of the public  
(which also includes licensees, members of the General Assembly, other state agencies)

**Key Objective 2:** Succession planning for Executive Director/hire and train Assistant Director

**Key Objective 3:** More effective use/training of technology

**Key Objective 4:** Communication with educational institutions

Each of the key objectives was further divided into manageable tasks, a champion(s) for each task was assigned, and measurable outcomes were identified. The champions are scheduled to begin reporting their progress during future Board Meetings. I will be sharing that information with you in future newsletters. I also invite you to take a look at the [adopted strategic plan](#).

Prior to the Fall/Winter 2016 newsletter, we will meet in Kansas City on August 8 and 9, and in Springfield on November 14 and 15. If you are in the area, we have tentatively scheduled open houses to meet with our licensees. Feel free to join us in open session following the open house. Please look for further information prior to the meeting or check our website a couple of weeks before the meeting for the public agenda.

As always, please feel free to contact me through the Board office if I can ever be of any service to you.

## ARCHITECTURAL DIVISION LETTER

By: James C. (JC) Rearden, AIA, CSI, Division Chair



A few years ago the National Council of Registration Boards (NCARB) conducted a study that found it was averaging 12 years to obtain the initial architect's license in the United States. NCARB became concerned that such a long timeframe would discourage many from entering the profession. To address this they started making changes to the licensure process with the intention

of shortening the time it takes to obtain certification from NCARB. There are many examples. One of their first decisions was to reduce the number of hours required to complete the Intern Development Program (IDP) by 1,860 hours; basically, taking one year off the traditional three year minimum experience requirement. They now allow aspiring architects to work off their IDP requirements while still in school. In fact, NCARB's eligibility requirement for documenting IDP is actually graduation from high school. Thus, as soon as an intern begins working for an architect they can document experience toward completing IDP. There are no mechanisms in place that would





## ARCHITECTURAL DIVISION LETTER CONTINUED...

currently prevent a candidate from completing IDP while in school..... they would simply need to be afforded the opportunity to work and document 3,740 hours in the specified areas.

Recently, you may have seen that the number of exams is being reduced, which will reduce the number of hours it takes to complete the exams. Another change that NCARB has undertaken will be to make it possible to become licensed upon graduation and they are also working to provide an alternative path to licensure for people who do not have a NAAB-accredited degree. Change is inevitable for our profession to continue advancing and improving, but there is concern that some of NCARB's changes may be lowering the standards for licensure too much. Hopefully, time will prove that the changes were all good ones and that the new generation of architects will be as fully prepared as the current generation. Meanwhile, it is important to pay attention to NCARB's actions because Missouri's licensure process is based on NCARB certification. Whatever changes NCARB makes to the exam, IDP, and certification process, Missouri must accept by law or rule.

There has long been a stigma with the use of the title "Intern," "Intern-Architect," and "Architectural-Intern" that has led NCARB to drop the use of those terms in all of its nomenclature. For example, the Intern Development Program (IDP) will become the Architectural Experience

Program (AXP) and NCARB's Internship Committee will become the Experience Committee. Since the Intern Development Program is specifically referenced in Missouri's statutes and rules, changes will eventually need to be made to our law to reflect AXP. However, when NCARB adopts the new program name it will include the stipulation "formerly known as the Intern Development Program." This decision was made specifically so that all Member Boards would not have to rush to amend their statutes and rules.

Missouri's rules also recognize use of the title "Architectural Intern;" however, the need to change the title is not clear. NCARB has yet to offer an alternative title, leaving it to each state to decide for now. The Board would appreciate hearing from Missouri architects on this matter.

NCARB has also negotiated a license reciprocity agreement for architects with Australia and New Zealand, similar to the one that NCARB has with Canada. In order for Missouri architects to take advantage of the agreement, Missouri's statutes will have to be changed to recognize the agreement. The Board would appreciate hearing from Missouri architects regarding their support or opposition to such an agreement. The Board's email address is [moapeplspla@pr.mo.gov](mailto:moapeplspla@pr.mo.gov).

## PROFESSIONAL ENGINEERING DIVISION LETTER

By: Kevin C. Skibiski, PE, SE, PLS, Division Chair



Playing well with others is a tool we learn very early in life, particularly when we start going to school and for the first time in our lives we are on our own to make decisions as to dealing and playing with other 5 and 6 year-old children. It is a valuable lesson we retain for most of our lives.

You should be happy to know that your Board for Architects, Professional

Engineers, Professional Land Surveyors and Professional Landscape Architects, although not always in unanimous agreement, does in fact put aside personal feelings and opinions when making Board decisions, in particular the ones which affect the public's health, safety and welfare.

We are sometimes faced with discussions, investigations and hearings which involve other departments and agencies within state government, such as Missouri Department of Transportation (MoDOT), Missouri Department of Natural Resources (MDNR), Division of Energy (DED), and Public Service Commission (PSC). These interactions with



## PROFESSIONAL ENGINEERING DIVISION LETTER CONTINUED...

other state agencies are informational, educational, and for the most part, very professional. The statutes and rules we must adhere to don't change as often as the people in decision making positions, and we must strive to be consistent with opinions and decisions.

One such instance involves a question an architect friend of mine asked me recently about manufactured buildings, like those used primarily in residential construction, but also used for temporary classrooms and even small commercial buildings. It seems that many local code officials accept them as they are, not sealed with an architect or professional engineer seal and signature, but with a stamp stating the fabrication of these units have been reviewed by an outside agency who has PE's on staff and that they meet the requirements of the Public Service Commission.

Digging deeper, I found out, with the help of Board staff, that this discussion is not a new issue. Back in 2001, the Board at that time held hearings with staff from the Public Service Commission about the very same issues.

Currently the Public Service Commission's jurisdiction falls under Chapter 700, RSMo, and 4 CSR 240-123.010 – 123.095. The criteria call for a seal to be placed upon the manufactured unit. This should not be confused with an architect or professional engineer seal. It refers to a device, label or insignia issued by the Public Service Commission and displayed on the exterior of the manufactured unit.

Section 700.035, RSMo, states "If a manufactured home or modular unit carries a seal as provided in sections [700.010](#) to [700.115](#), no agency of this state, nor any municipality or other local governmental body shall require such manufactured home or modular unit to comply with any other building, plumbing, heating or electrical code other than the code established by sections [700.010](#) to [700.115](#)."

4 CSR 240-123.080, Code for Modular Units, identifies HUD and FHA Standards to be met as well as the 2009 International Building Code. It also requires identifying specific Seismic Zone requirements. This by itself is not a bad thing, in that it requires building code compliance even if these units are located in Missouri where there is no building

code. It just may not be the current building code requirement of a locality with building codes.

We do not have a complaint to investigate, this was brought up as a discussion point at our last Board meeting. The current Board's general discussion about the issue was when multiple units are assembled as in school classrooms or commercial buildings, how do we ensure the life safety requirements are met. Some of those issues are site specific and dependent upon arrangement of units, ramps, stairs, fire exits, etc.

How should we resolve this perceived conflict? Your Board has Section 327.481, RSMo, Inconsistent Laws Repealed, which says "Insofar as the provisions of this chapter are in conflict with or inconsistent with the provisions of any other law of this state, the provisions of this chapter shall be controlling."

Perhaps we should look at this as we would any other pre-manufactured building component. The manufactured unit meets certain requirements, but does not address local siting, accessibility or other life and safety issues; therefore, it is not a stand-alone building, but a component in the building design that as a whole must meet local code requirements even if the component is exempt from current codes.

I believe it is up to all of us to help educate the local building code officials of the difference.

Bottom line is that we do try to play well with others; we are all after the same thing, which is protecting the health, safety and welfare of the citizens of Missouri.

What do you think? As always, if you have any questions or comments about this topic or the Missouri Board do not hesitate to contact us at the Board office. The Board's email address is [moapeplspla@pr.mo.gov](mailto:moapeplspla@pr.mo.gov).



# PROFESSIONAL LAND SURVEYING DIVISION LETTER

By: Michael C. Freeman, PLS, Division Chair



In past columns I've tried to talk about things that the Board sees at our quarterly meetings; primarily about issues within the Professional Land Surveying Division. While I'm pleased to report that complaints are down significantly, I'm wondering if the reason for this reduction is because of economic reasons or if we've turned the corner and are starting to see better results of our applicants' surveying education. The recent NCEES testing results are quite encouraging. In the recently published 2014-2015 edition of 'Squared' covering the period from Oct. 2014 to Sep. 31, 2015 the Fundamentals of Surveying

(FS) exam passing rate for first time takers was 51 percent which is in line with past numbers. However, the pass rate for the Professional Surveying (PS) exam was 75 percent; and, the numbers for the October 2015 exam were even better at 80 percent. This matches what we are seeing in Missouri where our PS pass rate was 89 percent...a significant improvement from the 46 percent we saw in 2010.

While the PS licensee applicants are demonstrating a technical understanding of surveying, they are still not adequately grasping the legal aspects/principles of surveying in Missouri as 1/3 of those taking Part II of the October 2015 MO-State Specific Examination scored 5 percent or less. Part of the problem is the fact that many of these applicants work primarily in an urban environment and are not

exposed to sectional surveying. Another part is because the supervising Professional Land Surveyor (PLS) is negligent in his/her oversight and does not spend enough time in the office overseeing research or the methods used to prepare for the survey. Nor does he/she spend the time needed in the field to observe and correct their LSITs nor do they provide adequate guidance in analyzing and evaluating the evidence recovered. Proper leadership and mentoring of the LSIT requires the PLS to be more engaged in what his/her survey crews are doing. The mentor needs to be reviewing the work process, not just the work product.

Even though I've previously indicated that surveying complaints are down, hardly a meeting goes by that we don't have a complaint involving Corporate Certificates of Authority and the requirement that your business **MUST HAVE** a Corporate Certificate of Authority if it operates as an LC, LLC or Corporation. This issue has been addressed in every edition of *Dimensions* over the past 5+ years yet every meeting we find a violation.

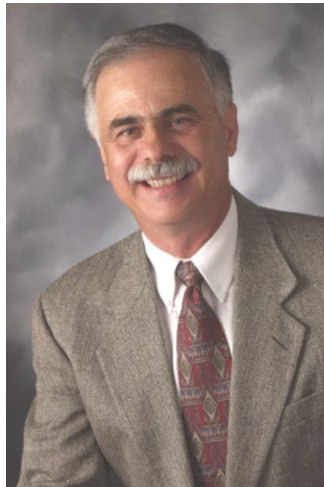
Finally, I want to direct your attention, again, to the changes in our Title Block rule (20 CSR 2030-2.050). You must include (a) the name of the licensee, either as a sole proprietor, partnership, corporation, LLC or other appropriate entity; (b) the address and phone number; (c) name or identification of the project/client; (d) address/location of the project by city/county/state; (e) date prepared; (f) space for licensee's signature, date and seal; (g) the printed name, discipline, and license number of the person sealing the document; and (h) the printed name, discipline and certificate of authority number of the corporation or LLC as defined in Section 327.011, RSMo.





# PROFESSIONAL LANDSCAPE ARCHITECTURAL DIVISION LETTER

By: Robert S. "Bob" Shotts, PLA, PLS, Division Chair



Division meetings are normally held on the first day of the Board Meeting. The full Board Meeting is normally held at the end of the first day and continues into the second day. This schedule varies depending on the work load for that particular meeting. We appreciate the comments and questions brought to our attention.

**A**t the time this is written the Board is preparing for the upcoming meeting to be held in St. Louis on the 25th and 26th of April. By the time the Newsletter is published this meeting will have come and gone and we will be looking forward to the next meeting to be held in Kansas City in August. I encourage any licensee to attend the open portions of the Board Meetings which are held four times each year. The normal rotation is: the St. Louis area in the spring, the Kansas City area in the summer, Southwest Missouri in the fall and Jefferson City in the winter. The four

The annual Council of Landscape Architectural Registration Boards' (CLARB) meeting will be held this September 22-24 in Philadelphia. CLARB moved from having two meetings a year to having one in the fall in 2012. In addition to the annual meeting, each region has quarterly conference calls to update both CLARB and the member boards concerning not only issues pertaining to licensure but other matters of interest to the member boards.

CLARB conducted the 2016 Task Analysis April 4-18. This survey is conducted to study the profession and ensure that the content of the Landscape Architectural Registration Examination (L.A.R.E.) remains legally defensible and relevant to the practice of Landscape Architecture. This year the Task Analysis was conducted on a global basis in conjunction with the International Federation of Landscape Architects. Data collected outside of North America will be for research purposes only and will not impact the L.A.R.E.

The Professional Landscape Architectural Division is delighted to welcome Eric Davis as the third member of the Division. We appreciate his willingness to put in the time that is required as a Board Member.

## Disclaimer:

**The articles in this newsletter are the work and opinion of the individual authors and do not necessarily reflect the official opinion or position of the Board.**



# PUBLIC MEMBER LETTER

By: Sherry L. Cooper, Public Member



**P**rior to my service on the Board I knew little about the profession of land surveying. My limited personal experience consisted of my real estate agent suggesting I have a survey done before purchasing a home — which I declined to do thinking it unnecessary since the two homes I have bought were in long-established urban subdivisions — and to the occasional sighting of surveyors and their equipment working along roadways. Other than this, I'd given little thought to the profession and how it relates

to property rights, much less to the health, safety, and welfare of the public.

Last year, the Braefield subdivision in Chesterfield where I reside celebrated its twentieth anniversary. As Editor of our quarterly newsletter — and a history-loving major in college — I set about to see how much history I could find on the land upon which my subdivision was built.

With the help of Anne Lewis, a licensed Professional Landscape Architect and member of the Chesterfield Historic and Landmark Preservation Committee, and St. Louis County Historian, Esley Hamilton, I was provided information through recorded land surveys and other records that was able to trace ownership of the land back to the time of the Louisiana Purchase. The abridged version is that the land my subdivision sits on was bought by the builder in 1993 as a tract of land being part of Lot 3 of the Hugo Essen Farm. The Hugo Essen Farm land (Survey 154 filed on November 8, 1915) had originally been claimed by John Lewis who eventually sold it to Frederick Bates in the early 1800s. Bates added to this land and called the area “Thornhill” — a well known name in St. Louis County. Bates, still living in Thornhill, was installed as the second governor of Missouri

in November 1824 (the state capital was in “nearby” St. Charles; a one to two-day trek in those days). Upon Governor Bates’ death the land was left to his children. Governor Bates’ second son, Woodville Bates, eventually acquired about two thirds of his father’s land plus one third he inherited of Survey 157 next door for a total in 1909 when Woodville’s estate still held the property of 401.89 acres. Hugo Essen and his wife Alvina purchased the tract for their farm from Woodville Bates’ estate in 1915.

So the land my small community sits on has quite an interesting history — and that history was made possible partly through information contained in recorded surveys. From wilderness — to a claim of ownership by John Lewis — to ownership by Missouri’s second Governor as part of his Thornhill Estate — to the Hugo Essen Farm — to the builder of Braefield.

During this research I was provided with a copy of Survey 154 that had been filed in 1915. The topography of this area is varied and much of the land was and still is covered in dense growth. What I came to appreciate when looking at this survey was the art and science of being able to accurately define a parcel of land on ground you might barely be able to traverse.

Fast forward to my service on the Board and my interest in learning more about the profession. I recognized the importance of protecting property rights, but was unclear how surveying affects the safety of the public.

While a “cornerstone” of surveying is clearly the determination of land boundaries and the ever important property rights, I now know surveyors determine the placement or position of foundations, buildings, dams, retaining walls, bridges, and other significant structures that if built incorrectly without accurate information from land surveyors could have serious life safety consequences.

So this profession clearly meets the threshold of one where the most restrictive form of state regulation — licensure — is warranted to protect the health, safety, and welfare of the public.

## PUBLIC MEMBER LETTER CONTINUED...

And while I have more to learn about the profession, I know enough at this point in my service on the Board to be concerned about the following developments. First, the reports about decreasing numbers of individuals entering the profession. Second, the increasing trust in satellite data that may be used without proper interpretation and application by a licensed Professional Land Surveyor. And last, the

legislative efforts by some outside the profession attempting to erode the scope of practice of licensed Professional Land Surveyors and allow unlicensed persons to perform some of the services currently required to be done by an educated, trained, tested, and licensed Professional Land Surveyor or a Land Surveyor-In-Training working under the immediate personal supervision of a licensee.

## PRESERVING THE PROFESSION

By: Dan Govero, PLS, Member of the Professional Land Surveying Division



In recent years we have been faced with the fact that the number of licensed Professional Land Surveyors is declining rapidly. Then I read articles about the “one man” surveying companies, and how they are saving money, but who is going to save the profession? New technology has afforded us the opportunity to be “one man” companies, but most of us got involved in the business by working on a survey crew, deciding we liked it, and obtaining the education needed to become Professional Land Surveyors.

In a recent article in a land surveying magazine, the land surveyor states that he began his career in surveying as a part time rodman, and held other titles including instrument man, party chief, project manager and survey department manager. Some of his experience must have come from working for various companies during his career and obtaining knowledge along the way.

Running a surveying and engineering company is not easy and not for everyone. I have been in business for 27 years and have trained and mentored many along the way. Employees are the biggest expense in a company, but by having employees you not only contribute to the economic impact of your community, you are also providing education and training in the profession and quite possibly planting the seed of future surveyors. Education is not the only answer. Our profession requires mentoring and hands on training to learn

how to find monuments, research, make decisions on what was found and compare the information with what is recorded and what is not recorded, but is used. Surveying is a profession that cannot totally be taught by education alone. We as surveyors must incorporate new people in the profession, mentor them and help educate them if the profession is to survive!

Our company has mentored many people over the years. One employee became licensed, took the challenge and joined the Missouri Society of Professional Surveyors, worked her way to become the 1st female president to lead our society and did an excellent job. She has been involved with many surveying projects since including, the monumenting of the Joseph C. Brown Memorial. We have had several other personnel get licensed, some work for other companies, some opened their own business in the area where they live. Needless to say, we have encouraged and mentored people to get involved and stay involved with the surveying profession.

This profession cannot be taught in school by itself. School will not tell us how to find a monument in the field, or if we are missing the original monument. School will also not educate us on how to resolve a boundary. It takes experience to learn how to compare recorded documents, with what we find in the field and the differences between possessions and recorded, and where is the correct line? This can only come from experience which as our profession ages is going away.

When the “one man” survey company quits, retires or goes out of business it’s gone—no one to take his place. New technology is great, but let’s help the future of the surveying profession by passing along our knowledge by hiring, training, and mentoring new people in the field.





## NEW BOARD MEMBER



**E**ric Dean Davis, Jr., PLA, has been appointed by Governor Jay Nixon to serve as a member of the Professional Landscape Architectural Division of the Board. Eric was appointed on April 1, 2016 and confirmed on May 4, 2016. He replaces Robert N. Hartnett whose term expired.

Eric was born and raised in historic Independence, Missouri. During his youth, Eric was involved in his church youth group and the Boy Scouts of America, attaining the rank of Eagle in 1986. While attending William Chrisman High School,

Eric was involved in marching and concert band, varsity swimming, the Fellowship of Christian Athletes and other extra-curricular activities. His love of drafting, art and the outdoors led him to apply for admission to the Environmental Design Program at Kansas State University, the precursor to Architecture, Interior Design and Landscape Architecture.

After completing the introductory portion of the curricula, Eric applied to and was accepted to the KSU Landscape Architecture program. He met his future wife while working part-time at a Manhattan fast-food restaurant and they were married in the spring of 1997. Eric received his Bachelor of Landscape Architecture that same spring and he and his wife relocated to the Kansas City area where Eric began his professional career with multi-disciplinary firm Lutjen & Associates.

Seeking a wider exposure to all the facets of Landscape Architecture, Eric joined the firm of Jeffrey L. Bruce & Company. Eric played a key role

on many successful and notable projects while at JBC, including the Kauffman Foundation in Kansas City, the renovation of historic Soldier Field and Millennium Park in Chicago and sports venues on both coasts of the United States. Eric passed the LARE exam and became a licensed Landscape Architect in 2002.

In May of 2004, Eric founded ICON Landscape Architecture which provided specialty consulting services such as irrigation and sports field design for allied professionals across the country. The practice was successful for over five years, contributing to several Kansas City projects including the H&R Block World Headquarters and the renovation of Crown Center Square. Eric was twice published in *Landscape Architecture* and was a featured speaker and jurist while managing ICON. As the recession in the early 2000's intensified, ICON merged into the Olathe, Kansas firm of Landworks Studio in 2010, and Eric transitioned to a Senior Project Manager position.

In late 2013, Eric left Landworks Studio and joined the Kansas City, Kansas firm of LAND3 Studio as a Senior Landscape Architect where he remains today.

Eric currently lives in Blue Springs with his wife, Amy, of 18 years. Eric and Amy are the proud parents of four energetic boys. Eric continues to be active in the Boy Scouts of America, serving as Committee Chair for Cub Scout Pack 362, as an adult leader for Troop 362 and a Merit Badge counselor for the Heart of America Council. He is active in his parish and continues to enjoy the outdoors through Scouting, his sons' baseball teams and waterfowl hunting.



# “IMPORTANT MESSAGE FROM THE DEPARTMENT OF NATURAL RESOURCES”

By: Shawn Muenks, P.E., SRF Engineering Unit Chief

On December 2, 2015, the Missouri Department of Natural Resources (Department) sent a letter to the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects (Board). Department officials also met with the Board on January 26, 2016 to discuss the letter. In this letter the Department noted occasions of false and/or misleading information being provided by licensed professional engineers to municipalities regarding the Department’s grant and loan programs. The Department also asked for assistance from the Board to inform licensed Professional Engineers of this issue. A copy of the letter can be found on the next page.

The nature of this misleading information comes mainly in the form of unrealistic funding expectations presented in engineering documents such as facility plans for wastewater treatment and drinking water system improvements. In some instances these unrealistic expectations have been relayed in media articles which reported inaccurate grant funding availability for a specific project. Another instance resulted in an entity securing insufficient bond capacity due to expectations of grant funding listed in a facility plan, which was based upon previous awards to neighboring communities and not on current grant eligibility. A final example involved an engineering report which “back calculated” the necessary amount of grant funding needed from various agencies to make customer rates affordable and the project financially attractive without discussing actual grant funding availability or the necessary funding requirements.

Funding availability, particularly for grants, varies annually based on federal and state appropriations. Additionally, funding programs can change due to modifications in laws, regulations and guidance. The Department’s Financial Assistance Center (FAC) has taken steps to educate engineers on these funding changes and the importance of accurate financial information in these engineering documents in order for municipalities to make informed public interest decisions. These steps include:

- Communicating directly with engineering firms in writing and verbally;
- Presentations at engineering workshops to inform firms of changes in funding availability and provide contact information for FAC personnel;
- The letter and meeting with the Board;
- Discussion of this issue at the recent American Council of Engineering Companies committee meeting; and,
- Reporting of the availability of funds each year in the State Revolving Fund Intended Use Plans (IUP) on the Department’s website.

The take-home message is that engineers should contact FAC for information on funding availability prior to making funding assumptions in engineering reports and facility plans. This should be done for both new documents and when updating existing documents. Correct funding information is needed for communities to make informed business decisions based on realistic funding scenarios. It should also be noted that the U.S. Securities and Exchange Commission (SEC) has promulgated rules requiring the registration of municipal advisors and engineering firms should review this rule to understand what services require registration with the SEC (please see SEC website at <https://www.sec.gov/info/municipal/mun-advisors-faqs.shtml> for more information).

The State Revolving Fund IUPs and fact sheets on other state grant and loan programs can be found on the Department’s website at <http://dnr.mo.gov/env/wpp/srf/>. As always, the Department welcomes direct inquiries concerning water and wastewater infrastructure financial assistance by contacting the FAC at (573) 751-1192.





Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

# DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

December 2, 2015

Ms. Judy Kempker, Executive Director  
Missouri Board for Architects, Professional Engineers,  
Professional Land Surveyors and Professional Landscape Architects  
3605 Missouri Boulevard, Suite 380  
Jefferson City, MO 65109

RE: Inaccurate Representation of State Funding Programs in Engineering Documents

Dear Ms. Kempker:

I am writing to request assistance from the Board in educating registered professional engineers on a matter of increasing concern to the Department of Natural Resources. The department has seen an increase of false or misleading information provided by registered professional engineers to municipalities regarding the department's grant and loan programs. This misinformation is instilling unrealistic funding expectations during development of engineering reports and facility plans for drinking water and wastewater projects as evidenced by observations of the department's Water Protection Program, Financial Assistance Center (FAC).

While the department appreciates assistance from engineering firms in advertising the existence of the department's funding programs, in many cases inaccurate information with respect to eligibility and/or availability of funding is being relayed through engineering documents, particularly with respect to grant funding. It is a disservice to these communities when they undertake planning efforts relying on the advice and representations of these engineering firms only to find out they cannot obtain funding as it was presented in the engineering document. In some cases, engineering firms may be providing the services of a municipal financial advisor in violation of U.S. Securities and Exchange Commission (SEC) rules requiring the registration of municipal advisors (please see SEC website at <https://www.sec.gov/info/municipal/mun-advisors-faqs.shtml> for more information).

The department strives to inform potential funding applicants and consulting engineers about funding programs through annual public releases of the Drinking Water and Clean Water State Revolving Fund Intended Use Plans (IUPs), information on the department's website, stakeholder meetings, direct contacts and email outreach. Grant funding varies annually based on funding provided by Congress and the availability of state funds. Additionally, funding programs can change due to modifications in laws, regulations and guidance. The State



Ms. Judy Kempker, Executive Director  
December 2, 2015  
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Revolving Fund IUPs and fact sheets on other state grant and loan programs can be found on the department's website at <http://dnr.mo.gov/env/wpp/srf/>. As always, the department welcomes direct inquiries concerning water and wastewater infrastructure financial assistance by contacting the FAC at (573) 751-1192.

The department is utilizing a wide variety of available venues to communicate these concerns to engineering firms serving Missouri's communities. The department notes the Board's mission to "protect the public from incompetence, misconduct, gross negligence, fraud, misrepresentation or dishonesty". The department hopes that the board will agree that it is important that engineers practicing in the state exercise due diligence prior to placing financial information in their engineering documents that municipalities rely on to make public interest decisions. If the department continues to see problems of this nature, it may necessitate formal complaints to the board and/or the SEC. Any assistance the board can provide in disseminating information in order to curtail these misrepresentations is greatly appreciated.

If you have any questions regarding this letter or if you would like to discuss specific examples of the problems cited in this letter, please feel free to contact Mr. Eric Crawford of my staff at (573) 751-1192. Written correspondence can be directed to Mr. Crawford, Director, Financial Assistance Center at the Department of Natural Resources, Water Protection Program, P.O. Box 176, Jefferson City, MO 65102-0176. Thank you.

Sincerely,

DIVISION OF ENVIRONMENTAL QUALITY

Leanne Tippet Mosby  
Division Director

LTM:ecc

- c: Mr. Eric Crawford, Director, Water Protection Program, Financial Assistance Center  
Mr. John Madras, Director, Water Protection Program  
Mr. Gene R. Hinshaw, P.E., Missouri Board of Directors Chairman, ACEC  
Mr. Chris Burns, P.E., MDNR Liaison Committee Chair, ACEC





## YEARS OF SERVICE RECOGNIZED

### 25 YEARS



**Judy Kempker, Executive Director**

November 19, 1990 – November 18, 2015

At the Board's November 9, 2015 meeting held in Springfield, Missouri, Board Chair, Bob Hartnett, presented (on behalf of the Board) an award to Ms. Judy Kempker in appreciation for her 25 years of professionalism, loyalty, dedication, and exemplary service to the Board and its licensees.

### 15 YEARS



**Karen Payne, Processing Technician II**

December 5, 2000 – December 4, 2015

On December 16, 2015, Board Chair, Bob Hartnett, presented (on behalf of the Board) a plaque to Ms. Karen Payne in appreciation for her 15 years of professionalism, loyalty, dedication, and exemplary service to the Board and its licensees.

Judy and Karen are both very dedicated and conscientious employees who take their work very seriously. They are highly principled and persons of outstanding values and character. They are very much appreciated for all they do.

# *Congratulations!*



## NCEES Needs Additional Computer Engineers for Online Survey

NCEES is seeking licensed Professional Engineers practicing in computer engineering to participate in a Professional Activities and Knowledge Study (PAKS) to update specifications for the PE electrical and computer engineering exams. The study, which was originally launched in June 2015, requires Professional Engineers practicing in all areas of electrical and computer engineering. While NCEES has enough participants practicing in electrical/electronic and power engineering, it is extending the study to find additional computer engineering participants.

NCEES requires a cross section of licensed Professional Engineers practicing computer engineering—including those working in industry, consulting, the public sector, and academia—to complete an online survey about the tasks and knowledge required of a licensed electrical

or computer engineer with 4 to 6 years of experience to practice in a manner that safeguards the health, safety, and welfare of the public. The survey can be completed in about 20 minutes.

“These studies help NCEES ensure its licensing exams remain relevant to current professional practice,” explained Director of Exam Services Tim Miller, P.E. “We’ve had a great response across most areas of this discipline, but we need more participants practicing in computer engineering.”

For access to the online survey, visit <https://www.prometricsurvey.com/se.ashx?s=123C457B6784100E>. For more information, contact NCEES Exam Development Engineer Tom Dodd, Ph.D., P.E., at [tdodd@ncees.org](mailto:tdodd@ncees.org) or 864-624-5453.

## NCEES Launches National Surveying Education Award

NCEES is pleased to announce the inaugural NCEES Surveying Education Award. This annual award will recognize surveying programs that best reflect the organization’s mission to advance licensure for engineers and surveyors in order to safeguard the health, safety, and welfare of the public.

NCEES will award a \$10,000 prize to up to 10 qualifying programs to assist with each program’s continued efforts to promote the importance and value of licensure. Surveying education programs are encouraged to visit [ncees.org/surveyingaward](http://ncees.org/surveyingaward) to learn more and complete the application process.

All applications and supporting documentation must be received by NCEES on or before June 1, 2016. Award recipients will be notified after July 1, 2016.

## About NCEES

The National Council of Examiners for Engineering and Surveying is a nonprofit organization made up of engineering and surveying licensing boards from all U.S. states and territories and the District of Columbia. Since its founding in 1920, NCEES has been committed to advancing licensure for engineers and surveyors in order to safeguard the health, safety, and welfare of the U.S. public.

NCEES helps its member licensing boards carry out their duties to regulate the professions of engineering and surveying. It develops best-practice models for state licensure laws and regulations and promotes uniformity among the states. It develops and administers the exams used for engineering and surveying licensure throughout the country. It also provides services to help licensed engineers and surveyors practice their professions in other U.S. states and territories. For more information, please visit [ncees.org](http://ncees.org).





## EXAM AND COURSE INFORMATION

### A Quick and Convenient Way to Obtain PDUs for the Missouri Minimum Standards

Two new courses have been added to the Missouri Society of Professional Surveyors' (MSPS) Online Learning Portal by Board Member, Mike Flowers; each worth 1 Professional Development Unit (PDU).

This is a two-part series on the Missouri Minimum Standards for Property Boundary Surveys. The Board has approved both courses as being applicable to the mandatory Minimum Standards requirements as called for in 20 CSR 2030-8.020.1(A).

If you're looking for credible, complete online education to get yourself "topped" up with PDUs for license renewal, MSPS' portal is a great place to get them. You can take the courses anytime, anyplace that you can access the Internet. If you need the Missouri Minimum Standards, here are two PDUs you can immediately access offered by an authoritative source from right in Missouri.

Click here to access the portal: <http://www.missourisurveyor.org/msps-portal.php>

### NCEES Professional Surveying (PS) Examination

PLEASE NOTE: This past April, NCEES administered the last PS pencil and paper exam. The exam goes to Computer Based Testing (CBT) in October.

An application to take the **Principles of Surveying Examination** must be filed with and approved by the Board prior to registering with NCEES to take the examination. Application forms are available on the Board's website; <http://pr.mo.gov/apelsla.asp>. The examination is offered year round and will be administered only at approved Pearson VUE testing centers. There are four testing windows which are the four quarters of the year. Candidates may take the examination only one time per testing window and no more than three times in a twelve month period.

After your application is approved by the Board, you will be provided with a form to schedule the Missouri Specific Examination.

### Changes to the Missouri Specific Exam Schedule

The Missouri Specific Examination will be administered at the Professional Registration building located at 3605 Missouri Boulevard, Jefferson City, Missouri.

It is a two-part open-book examination designed to test the applicant's knowledge of Missouri surveying practice and Missouri statutes and rules relating to the practice of land surveying. The testing time for Part I of the exam is 1 hour and 15 minutes in length and Part II of the exam is also 1 hour and 15 minutes in length. There will be four testing windows which are the four quarters of the year. A candidate will be allowed to sit for the examination four times in a twelve month period.

Look for updates on our website (<http://pr.mo.gov/professionallandsurveyors.asp>).





## EXAMINATION DATES AND FILING DEADLINES

The Fundamentals of Engineering (FE) and the Fundamentals of Surveying (FS) examinations are offered at Pearson VUE testing centers in a Computer Based Testing (CBT) format. The examinations are offered year round. There are four testing windows which are the four quarters of the year. A candidate may not sit for the examination more than once per window and no more than three times in a twelve month period. Candidates for the FE or FS examination must register directly with NCEES at [www.ncees.org](http://www.ncees.org). After successfully completing the FE or FS examination, examinees will need to complete an application for enrollment as an engineer intern or land surveyor-in training. Application forms can be obtained from the Board's web site; <http://pr.mo.gov/apelsla.asp>.

Principles and Practice of Engineering Examination Dates	Application Filing Deadline	Re-Examination/ Re-Scheduling Application Filing Deadline
October 28, 2016	June 1, 2016	August 15, 2016
April 21, 2017	December 1, 2016	February 15, 2017
October 27, 2017	June 1, 2017	August 15, 2017
April 13, 2018	December 1, 2017	February 15, 2018
October 26, 2018	June 1, 2018	August 15, 2018

**A completed application for examination or re-examination/re-scheduling must be received in the Board office no later than the filing deadline; NO EXCEPTION.**

Please access [www.ncees.org](http://www.ncees.org) for additional examination dates and other useful information.

## 2016 L.A.R.E. Administration Dates & deadlines



Registration will be open May 2 - July 22.  
Cancellation deadline: July 22



Registration will be open September 6 - November 28.  
Cancellation deadline: November 28

Upcoming administration dates and deadlines are subject to change.





# RECENT RULE CHANGES

## 20 CSR 2030-5.110 Standards for Admission to Examination—Professional Land Surveyors

*PURPOSE: This rule outlines the experience required of those persons applying for the land surveying examination under section 327.314, RSMo. This amendment ensures applicants will receive more experience in land surveying than design or construction surveying work which should make them better experienced to pass the Professional Surveying examinations.*

(1) No person shall apply for examination and licensure as a professional land surveyor in the state of Missouri unless said person is currently enrolled as a land surveyor-in-training and unless said person shall have acquired at least the following satisfactory professional field and office experience while enrolled as a land surveyor-in-training:

(A) If enrolled as a land surveyor-in-training prior to January 1, 2006 pursuant to the provisions of subsection (1) or (2) of section 327.312, RSMo, said person shall have acquired at least two (2) years of satisfactory professional field and office experience in land surveying under the immediate personal supervision of a licensed professional land surveyor;

(B) If enrolled as a land surveyor-in-training prior to January 1, 2006 pursuant to the provisions of subsection (3) of section 327.312, RSMo, said person shall have acquired at least one (1) year of satisfactory professional field and office experience in land surveying under the immediate personal supervision of a licensed professional land surveyor; and

(C) If enrolled as a land surveyor-in-training on or after January 1, 2006 pursuant to the provisions of subsection (1), (2) or (3) of section 327.312, RSMo, said person shall have acquired at least four (4) years of satisfactory professional field and office experience in land surveying under the immediate personal supervision of a professional land surveyor.

(2) For professional field and office experience in land surveying to be deemed satisfactory, the applicant shall have obtained at least [one-third (1/3)] **twenty four (24) months** of the required experience as field experience and at least [one-third (1/3)] **sixteen (16) months** of the required experience as office experience. Furthermore, all professional field and office experience in land surveying shall be

completed under the immediate personal supervision of a licensed professional land surveyor as defined in 20 CSR 2030-13.020. In evaluating satisfactory professional field and office experience in land surveying, credit shall be given as follows:

(A) Party chief—year for year;

(B) Office work (combination of record research, survey calculations and preparation of property descriptions as relating to property boundary surveys and/or the reestablishment of the U.S. public land survey corners) (year-for-year credit);

(C) Individual evaluation may result in less than full credit; and

(D) [Engineering] **Design** or construction surveying work experience **in the field or office** will receive no more than [twenty-five percent (25%) credit (the maximum credit given shall be no more than twenty-five percent (25%) of the total experience required)] **8 months credit.**

*AUTHORITY: sections 327.041 and 327.314, RSMo Supp. 2006 and 327.312, RSMo 2000. \* This rule originally filed as 4 CSR 30-5.110. Original rule filed March 16, 1970, effective April 16, 1970. Amended: Filed Dec. 8, 1981, effective March 11, 1982. Amended: Filed Jan. 12, 1984, effective April 12, 1984. Amended: Filed July 20, 1987, effective Oct. 25, 1987. Rescinded and readopted: Filed Nov. 1, 2001, effective June 30, 2002. Moved to 20 CSR 2030-5.110, effective Aug. 28, 2006. Amended: Filed June 14, 2007, effective Dec. 30, 2007. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Amended: Filed Sept. 29, 2015, effective March 30, 2016.*

*\*Original authority: 327.041, RSMo 1969, amended 1981, 1986, 1989, 1993, 1995, 1999, 2001, 2010, 2014; 327.312, RSMo 1983, amended 1999, 2014; and 327.314, RSMo 1983, amended 1999, 2001, 2014.*



## 20 CSR 2030-2.040 Evaluation Criteria for Building Design

*PURPOSE: This rule provides the recipient and producer of professional architectural, engineering, and/or landscape architectural services assurances that all services are evaluated in accordance with the 2012 edition of the International Building Code. This rule is being amended to reflect the 2015 edition of the International Building Code.*

*PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.*

- (1) For building design, the board shall use, in the absence of any local building code, the [2012] **2015** edition of the International Building Code, as the evaluation criteria in determining the appropriate conduct for any professional licensed or regulated by this chapter and being evaluated under section 327.441.2(5), RSMo. The International Code Council, [2012] 2015 Edition is incorporated

herein by reference and may be obtained by contacting 500 New Jersey Ave NW, 6th Floor, Washington, DC 20001, by phone at (888) ICC-SAFE (422-7233), by fax at (202) 783-2348, or by their direct website at <http://www.iccsafe.org>. This rule does not incorporate any subsequent amendments or additions to the manual.

*AUTHORITY: section 327.041, RSMo Supp. 2013.\* Original rule filed June 14, 2007, effective Dec. 30, 2007. Amended: Filed July 22, 2009, effective Jan. 30, 2010. Amended: Filed Nov. 1, 2011, effective May 30, 2012. Amended: Filed Aug. 8, 2013, effective Feb. 28, 2014. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Amended: Filed Sept. 29, 2015, effective March 30, 2016.*

*\*Original authority: 327.041, RSMo 1969, amended 1981, 1986, 1989, 1993, 1995, 1999, 2001, 2010, 2014.*

## 20 CSR 2030-8.020 Professional Land Surveyor—Professional Development Units

*PURPOSE: This rule outlines the professional development standards for professional land surveyors applying for renewal of licensure under the provisions of section 327.041, RSMo. This rule is being amended to provide more clarification on acceptable units of professional development for the renewal of a professional land surveyor's license.*

- (1) Each licensed professional land surveyor, as a condition for renewal of his/her license, shall complete a minimum of twenty (20) professional development units (PDU) each two (2)-year period immediately preceding renewal, except as provided in section (2) of this rule.
  - (A) Of the required professional development units, licensed professional land surveyors shall complete a minimum of [four (4)] **two (2)** professional development units in [Minimum] **Surveying Standards (20 CSR 2030, Chapters 16[,] and 17, [and 19] and/or Chapters 60 and 327 RSMo)** during the [four (4)-] two **(2)-year** period immediately preceding renewal.
  - (B) Of the required professional development units in the two (2)-year renewal period, not more than twelve (12) shall be obtained

in nonpersonal contact activities. Nonpersonal contact activities include correspondence courses, video and televised courses, Internet and email courses, or other activities where the presenter is not in physical proximity to the attendee.

- (2) The following are exceptions to the requirement that licensees successfully complete twenty (20) PDUs prior to renewal:
  - (A) The licensee can show good cause why he/she was unable to complete the PDU requirements. In the event good cause is shown, the licensee will be required to make up all outstanding required PDUs within a reasonable amount of time as established by the board;
  - (B) [The licensee received his/her initial licensure during the preceding two (2)-year period. The licensee will be required to





complete an average of one (1) PDU per month for each month of licensure; provided however that the licensee will not be required to complete more than twenty (20) PDUs] **A professional land surveyor who holds licensure in Missouri for less than twelve (12) months from the date of his/her initial licensure, shall not be required to report PDUs at the first license renewal;** or

(C) If the licensee served [honorably] on full-time active duty in the military, the licensee may renew his/her license without completing the PDU requirement for the renewal period during which the licensee served.

(3) A licensee who completes more than twenty (20) PDUs during the two (2) years immediately preceding renewal may carry forward into the next two (2)-year period up to ten (10) PDUs.

(4) In evaluating PDUs for licensure renewal, the board will be guided by the following standards and guidelines:

(A) Criteria: In order to qualify as acceptable PDU credit, each activity must:

1. Have a clear purpose and objective to maintain, improve and/or expand skills and knowledge obtained prior to licensure or to develop new and relevant skills and knowledge;
2. Have a well organized content presented in a sequential manner;
3. Show evidence of pre-planning, including an opportunity for input by the target group to be served;
4. Be presented by persons qualified by education and experience; and
5. Provide information to the licensee necessary for PDU record keeping and reporting purposes.

(B) Except as otherwise stated in this rule, licensees shall earn one (1) PDU for every fifty (50) to sixty (60) minutes of activity that qualifies as acceptable PDU credit pursuant to this rule.

(C) Activities.

1. PDU activities must be relevant to the practice of land

surveying and may include technical, ethical or business related content.

2. PDUs may be earned at locations outside Missouri, so long as the activity qualifies as acceptable PDU credit pursuant to this rule.

3. Assuming they otherwise qualify as acceptable PDU credit pursuant to this rule, the following activities are acceptable sources of PDU credits:

A. Successful completion of college or university course earns thirty (30) PDUs per semester hour and twenty (20) PDUs per quarter hour. Auditing or "hearing" a course qualifies for one-third (1/3) PDU credit of that stated herein.

B. Active participation and successful completion of seminars, tutorials, workshops, short courses, correspondence courses, or televised or videotaped courses. **Attending program presentations at related technical or professional meetings. A correspondence course must require the participant to show evidence of achievement with a final graded test.**

C. [Attending program presentations at related technical or professional meetings.

D.] Authoring a paper or article earns five (5) PDUs upon actual publication in a regionally or nationally circulated technical journal or trade magazine. **Credit cannot be claimed until that article or paper is actually published. Licensees shall not earn more than ten (10) PDUs per two (2)-year renewal period for authoring a paper or article.**

[E.] **D.** Teaching or instructing a course or seminar that satisfies the PDU criteria described in this rule, or making a presentation at a technical meeting or convention. For the original instruction or presentation, a licensee shall earn two (2) PDUs for each PDU a participant could earn pursuant to this rule. *[For subsequent instructions or presentations, a licensee shall earn only one (1) PDU for each PDU a participant could earn pursuant to this rule. Licensees shall not earn more than ten (10) PDUs per two (2)-year renewal period for teaching, instruction, or making presentations.]*



**E. Notwithstanding the provisions above, PDUs will only be awarded for the first occurrence of attending or teaching a qualifying course or seminar per every two (2) year renewal period.**

(5) All licensees shall maintain and retain records of PDU activities completed for a period of four (4) years after the reporting period in which the PDU was completed **and copies must be furnished to the board for audit verification purposes if requested. If these records get lost or destroyed the licensee must inform the board, in writing, within 30 days.** The board may randomly audit a portion of licensees each renewal period, or a specific licensee if a complaint has been filed against the licensee, to verify compliance with the PDU requirements. Licensees shall assist the board in any audit by providing timely and complete responses to the board's inquiries. At a minimum, licensees must keep the following records:

(A) A log identifying the type of activity claimed, the sponsoring organization, location of the program, duration of the program, the name of the instructor(s) or speaker(s), and the PDU credits earned; and

(B) Attendance verification records such as certificates of attendance **which identify the participant by name**, signed attendance receipts, *[paid receipts,]* a copy of a listing of all attendees signed by a person in responsible charge of the activity, or other documentation verifying attendance.

(6) Any person or entity may seek pre-approval of a PDU activity by providing the board the following information. The professional land surveying division will approve or deny credit for the activity within forty-five (45) calendar days of receipt of the information.

(A) Date(s) of the program or activity;

(B) An outline or syllabus of the program;

(C) Presentation abstract(s);

(D) Preliminary program with time frames;

(E) Course or program description; and

(F) Names of the instructor(s) or speaker(s) with biographical information showing their education and professional experience.

(7) The board will review all PDUs claimed in support of a renewal application. If **audited and** it is determined that a portion of the claimed PDUs fail to meet PDU requirements, the licensee will be notified in writing of the denied PDUs. **The licensee shall have three (3) months from the license renewal date in which to substantiate the original claim or to earn other credits to meet the minimum requirements.** If PDUs are denied to the extent that the licensee has failed to obtain the required number of PDUs for renewal, then the board will deny issuance of the renewal *[and will notify the licensee in writing of their right to appeal the board's decision to the Administrative Hearing Commission].*

*AUTHORITY: section 327.041, RSMo Supp. 2014. \* This rule originally filed as 4 CSR 30-8.020. Original rule filed Dec. 8, 1981, effective March 11, 1982. Amended: Filed Nov. 8, 1984, effective Feb. 11, 1985. Amended: Filed July 6, 1992, effective April 8, 1993. Rescinded: Filed May 3, 1994, effective Dec. 30, 1994. Readopted: Filed July 11, 1994, effective Dec. 30, 1994. Rescinded and readopted: Filed June 15, 2001, effective Jan. 30, 2002. Amended: Filed May 13, 2005, effective Jan. 1, 2006. Moved to 20 CSR 2030-8.020, effective Aug. 28, 2006. Amended: Filed June 14, 2007, effective Dec. 30, 2007. Amended: Filed Feb. 22, 2008, effective Aug. 30, 2008. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Amended: Filed Sept. 29, 2015, effective March 30, 2016.*

*\*Original authority: 327.041, RSMo 1969, amended 1981, 1986, 1989, 1993, 1995, 1999, 2001, 2010, 2014.*



# 2015 YEAR-END REPORT

## NUMBER OF EXAMINATIONS ADMINISTERED

Architects Licensed by Examination	-	115
Professional Engineering Examinations (April 2015 and October 2015)	-	345 candidates 213 passed 132 failed
Principles and Practice of Professional Land Surveying Examinations (April 2015 and October 2015)	-	20 candidates 15 passed 5 failed
Missouri Specific Land Surveying (April 2015 and October 2015)	-	53 candidates (Part I) 57 candidates (Part II) 22 passed (Part I) 22 passed (Part II) 31 failed (Part I) 35 failed (Part II)
Professional Landscape Architects Licensed by Examination	-	5

## NUMBER OF REGISTRATIONS GRANTED BY COMITY:

Architectural	140
Professional Engineering	548
Professional Land Surveying	7
Professional Landscape Architects	14

## NUMBER OF CORPORATE CERTIFICATES OF AUTHORITY ISSUED:

Architectural	80
Engineering	158
Land Surveying	11
Landscape Architectural	5

## TOTAL NUMBER OF LICENSEES:

**\*27,814**

Architects	4,671
Professional Engineers	16,081
Professional Land Surveyors	876
Professional Landscape Architects	330
<i>Total Individual Licensees with Active Status</i>	<i>21,958</i>

Architects with Inactive Status	381
Professional Engineers with Inactive Status	2,095
Professional Land Surveyors with Inactive Status	125
Professional Landscape Architects with Inactive Status	29
<i>Total Individual Licensees with Inactive Status</i>	<i>2,630</i>

Architectural Corporations	923
Professional Engineering Corporations	1,917
Professional Land Surveying Corporations	294
Professional Landscape Architectural Corporations	92
<i>Total Corporate Licenses</i>	<i>3,226</i>

\* Includes corporations, active and inactive individuals.

## TOTAL NUMBER OF INTERNS/LSITS:

**30,380**

Engineer Interns Enrolled	29,905
Land Surveyors-in-Training Enrolled	475

## STATISTICS FOR 2015

Total Number of Complaint Cases Pending at the beginning of 2015:	48
Total Number of Discipline Cases Pending at the beginning of 2015:	14
Total Number of new Complaint Cases Filed in 2015:	53
Total Number of Cases Closed in 2015:	60





## BREAKDOWN OF ALLEGATIONS FOR ALL NEW COMPLAINTS FILED IN 2015 (Note: each new complaint may have multiple allegations.)

Unlicensed persons practicing architecture	1
Unlicensed persons practicing engineering	7
Unlicensed persons practicing land surveying	2
Unlicensed persons practicing engineering and land surveying	1
Unlicensed practice, misconduct, fraud, dishonesty	7
Aiding and abetting unlicensed practice	1
Architects disciplined in another state	2
Offering architectural services without a Corporate Certificate of Authority	
Offering engineering services without a Corporate Certificate of Authority	
Unprofessional conduct, fraud, incompetency or negligence	21
Incompetent surveys, inaccurate surveys, or failure to meet Minimum Standards	
Failure to provide immediate personal supervision	
Other violation	

## BREAKDOWN OF DISCIPLINARY ACTIONS IMPOSED IN 2015

Formal Censure Based on Cause of Discipline	0
Discipline Stayed	1
Probation	4
Probated Corporate Certificate of Authority & Civil Penalty	3
Suspension Followed by Probation	0
Injunction Obtained & Civil Penalty	1
Cease and Desist & Civil Penalty	1
Revocation	1

## BREAKDOWN OF CASES CLOSED IN 2015

Insufficient evidence of violation, (Board letter/violation did not warrant further action)	16
Not within the jurisdiction of the Board	7

Satisfactory completion of probation	11
Civil penalty paid	2
Received assurances to either cease and desist; came into compliance with Chapter 327 and Board Rules; and/or corrective action was taken	12
Revocation	1
Other Action	1

## STATISTICS ON HOUSE BILL 600 CASES

Total Number of Licensees Suspended at the Beginning of 2015:	12
Total Number of Licensees Suspended in 2015:	3
Number of Licensees Who Came into Compliance in 2015:	4

## UNLICENSED PRACTICE:

As you can see in 2015 the Board has had 18 complaints filed against individuals and 5 complaints filed against corporations which were charged with practicing architecture, professional engineering, land surveying and/or landscape architecture without being properly licensed. If an individual or corporation refuses to voluntarily cease and desist all illegal activities and to conduct all future activities in compliance with Chapter 327, RSMO, then the Board can request the Attorney General's office to file suit in the appropriate circuit court seeking an injunction to restrain that individual or corporation from practicing architecture, professional engineering, professional land surveying and/or professional landscape architecture without a license. Another option the Board has is to refer the matter to the Attorney General's Office to seek authority to assess a civil penalty. A civil penalty imposed under Section 327.077, RSMO, can be as high as \$5,000 for each offense. However, each day of a continued violation constitutes a separate offense, with a maximum penalty of \$25,000. The Board assessed \$13,900 in civil penalties in 2015.	
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# NEW LICENSEES

## ARCHITECTS

The following individuals were licensed between October 1, 2015 and April 1, 2016

Adams, Lance J	Dexter, William Vernon, Jr.	Kersten, James R.	Murphy, Robert Arthur
Ahrens, Chandler Borden	Erickson, Paul Ralph	Kersting, Mitchell	Mussachio, Marc C.
Almquist, Adam J.	Eslahjou, Babak	Kim, Woo Young	Neiling, Ryan J.
Arenberg, Benjamin Paul	Fahey, Michael P.	Klein, Taryn	Noble, Patrick B.
Arzano, Angelo	Farber, Daniel	Kloch, Jeffrey Mark	Noman, Khaled
Bauer, Julia Lauren	Finegold, Maurice	Koboldt, Mary Bridget	Pan, Yin
Behlmann, Stacy	Gates, Kevin	Kollaja, Ted	Parsons, Alyssa Michele
Biery, Michal N.	Goode, Jeffrey Allen	Koster, Donald N., III	Patrick, Michael K.
Birx, Glenn W.	Gordon, Richard	Kougias, Susan Nelson	Paulitsch, Adam J
Bitterman, Russell John	Goslinga, Michael John	Lagomarsino, Peter J.	Perry, Morgan M.
Blissett, James R.	Gresham, Paul	LiBassi, Philip S.	Petersburg, Justin W.
Boedeker, Sarah	Guillot, Timothy M.	Lotter, Brandon	Petrie, Melissa Ruth
Brancato, Joseph N.	Harbison, Brian J.	Maley, Merlin	Phassos, Gregory
Brunner, Randi Jo	Harlan, Melissa Jo	Manske, Lee B.	Phelps, David F.
Byers, Jeffrey N.	Hauseman, David N.	Masselink, Dwayne S.	Proctor, Jeremy Tod
Callow, Alexander	Hayes, Logan	Mazilu, Daniel	Rafferty, Katherine S.
Cane, Christina Rose	Hazelitt, Scott Wayne	McCabe, Ryan	Reyland, Alexander
Cave, Jason William	Henley, Jacob A.	McCready, Andrew James	Richardson, Michael C.
Charron, Adam Phillip	Hoef, Andrew Arthur	McElveney, Patrick	Rink, Robert A.
Chiappina, Federico	Hon, Will E.	McGranaghan, Patrick J.	Rogers, Justin M.
Clark, Ashley Wayne	Hotaling, Thomas M.	McOlgan, Lance W.	Sanavong, Keooura
Colin, Stephen	Jones, Everette B., Jr.	McPherson, Duncan	Sanchez de Andrei, Patricia
Cordonnier, Jacob Andrew	Junge, David W.	McSwain, Michael A.	Schnuck, Lawrence J.
Cosgrove, Leo	Juris, Robert Louis	Miller, Jonathan	Shanks, Rachel H.
Costandi, Mark Sherif	Kalashian, Kraig J.	Monaghan, Jill Christine	Sheykhet, Aleksandr Moisey
Cox, Douglas G.	Karsky, Bryan Lee	Morgan, Thomas E, Jr	Sirek, Paul W.
Crabb, Jeremy R.	Kelley, James E., Jr.	Moyer, James Towne	Smith, Richard J.
Dameron, Daniel Eugene	Kempf, Matthew Phillip	Mumm, Erin E.	Solon, William Thomas, III
Daniel, Stephens Paul	Kerr-Grant, Andrew Peter	Murkley, Douglas W.	Spina, Richard



## ARCHITECTS CONTINUED...

Stewart, David A.  
Stoakes, Martha  
Stockton, Bryan  
Szafran, John S.

Tracey, Timothy R.  
Trunnell, James  
Twiss, Michael Douglas  
Uhen, Gregory

Villares, Gonzalo  
Ward, Gerald Arthur  
Webb, Roger L., II  
Wehmueller, Daniel

Welsh, Austin  
Westhues, Eric Paul  
Zarate, Katherine Richardson

## ARCHITECTURAL CORPORATIONS/LLCs

The following corporations and LLCs were licensed between October 1, 2015 and April 1, 2016

A P D Engineering and Architecture, LLC  
Alvah M. Levine, P.C.  
Ayers/Saint/Gross, Incorporated  
BBGM/Architects & Interiors, Inc.  
Benham Design, LLC  
Black & Veatch Architects, LLC  
Blaes Architects, LLC  
Brackett Krennerich and Associates, P.C.  
Bullock Tice Associates, Inc.  
Burns & McDonnell Consulting, P.C.  
Church Development Services, LLC  
Core Architects USA Inc.  
Costandi Studio, LLC  
Crabtree, Rohrbaugh & Associates, Inc.  
Finegold Alexander Architects Inc  
Finn Daniels, Inc.  
Granum A/I, LLC  
Interplan of Missouri, Inc.  
Interwork Architects, Inc.  
IPS Professional Engineers and Architects, PC  
Kieran Timberlake, LLC  
Linda Daniel, Architect, LLC  
Mak Architects, Inc.

McClaren, Wilson & Lawrie, Inc.  
MDRS Architects, L.L.C.  
Moseley Architects, P.C.  
Mussachio Architects P.C.  
Northpoint Development, LLC  
Nove Studios, LLC  
Odimo LLC  
Paragon Architecture, LLC  
PGAV Destinations PC  
Pope Associates, Inc.  
PRDG, LLC  
Samsel Architects, Professional Corporation  
SBW/Esser Architects, LLC  
Spring Engineering, Inc.  
Streetsense Architecture Studio, LLC  
Studio A Architecture, LLC  
Taliaferro and Browne, Inc.  
TDPSTL, LLC  
The Richardson Design Partnership, LLC  
Thomas Yanko - Architect, LLC  
Urban Werks, LLC  
Washington Engineering & Architecture, Inc.





## PROFESSIONAL ENGINEERS

The following individuals were licensed between October 1, 2015 and April 1, 2016

Abernathy, Billy J.	Brewe, Jared E.	Cushman, William Allen	Feldman, Todd Michael
Abraham, Ronald Gene	Brown, Jon R.	Dandpat, Ashok Kumar	Fenteng, Richie Anim
Abrams, Todd	Brownell, S. Chris	Darville, Shane Michael	Ferner, Emily Jane
Agbayani, Nestor Acob	Brune, Matthew V.	Daidsavor, Travis A.	Fillenwarth, Brian Albert
Ahmadullah, Rafiullah	Buck, Kevin Michael	Davis, Brad Gregory	Fischer, James William
Aholt, Derek Anthony	Buesse, Andrew David	Delaney, Lauren E.	Fitzpatrick, Blaise J.
Amolochitis, George Alexander	Bulut, Yigit	DeLeon, Fred R., Jr.	Flake, Ray G.
Anderson, Parker J.	Bump, Shane Travis	DelPozzo, Joseph	Floyd, Mason Thomas
Anderson, Sarah M.	Butler, Derek Scott	Delrie, Jason B.	Fluckey, Juston
Anderson, Sean Christian	Cardwell, Paul Forrest	Deneault, Joseph Benjamin	Forsyth, Jason Paul
Antoszewski, James R.	Cassity, Patrick N.	Derrick, Andrew D.	Fowler, Andrew T.
Armstead, Matthew Earl	Castaneda, Jaime A.	Dery, William Joseph	Fox, Kevin Gerald
Augustine, Anthony C.	Castle, Thomas Allan	Dhar, Ankit	Franch, Kenneth D.
Avant, Zachary Michael	Castor, Matthew James	Dietrich, Joseph Robert	Franken, Nicole Dawn
Aymett, Robert B.	Cates, Jason Daniel	Diewold, Anthony Louis	Franklin, Juene K.
Baldwin, Terry Elizabeth	Chapman, Sean Patrick	DiGenova, John G.	Frazier, Raymond Curtiss, III
Barker, Kris M.	Cheronis, Jason G.	DiSilvestro, Robert J.	Friske, Joanna B.
Barker, Paul David	Clark, Laurie Ann	Doherty, Rick	Fuller, Ryan Anthony
Beehler, Brandon L.	Clark, Nicholas G.	Donahue, Steven Ray	Gall, Donald William
Bell, Brittany Anne	Clay, Casey Jay	Drake, Robert Kenneth, Jr.	Gall, Vojtech
Bell, Sean M.	Clements, Bret H.	Drozdzick, S. Keller	Gamage, Joshua Cole
Benedict, Daniel	Coats, Adam Orren	Dunkin, Douglas S.	Garrett, Gabriel Thomas
Bergeron, Luke Jason	Coleman, John Thomas	Eady, Jason Darrell	Gass, Jarron
Blair, Mark Harrison	Collingsworth, Cameron	Edward, David A.	Gath, Michael
Blundell, Kristin Kaye	Coltrane, Caleb R.	Egelhoff, Frank L.	Gazdik, Kimberly N.
Bockelman, Josh	Conklin, Shane	Elliott, Jeffery E.	Gentz, Barry Joseph
Bolinger, Tyler B.	Connor, Chase J.	Enloe, Tyler	Goldberg, Katherine M.
Borremans, Michael W.	Constant, Christopher Kip	Ericson, Nils V.	Graf, Robert D.
Bosley, J. Daniel	Crabtree, Isaac T.	Eskridge, William H., Jr.	Graves, John Joseph
Bottu, Murali	Crockett, Kennon Charles	Fann, Avery Vernon	Gross, Christopher T.
Bouzianis, Steven Paul	Crooks, Enrique Alexander	Farmer, Kenneth Loyd, III	Grott, Steven Christopher
Bowers, Jermey L.	Crosier, Lawrence Christopher	Farmer, William S.	Grunerud, Brian
Brakeman, Jacob Stafford	Cruz, Herminio O.	Farrell, Martin Vincent	Guilford, Jason Michael
Braz, Marcos Rente	Curtis, Larry E.	Fei, Jun	Gustafson, Benjamin J.



## PROFESSIONAL ENGINEERS CONTINUED...

Haberberger, Lusnail Rondon  
Hagberg, Eric Lee  
Hall, Adam R.  
Halter, Scott Darin  
Hamm, Steven William  
Hanfland, Robert L.  
Hanslik, Jeffrey Todd  
Harrington, Daniel J.  
Hartter, Jesse  
Hasan, Zeaid  
Haseltine, Matthew Keith  
Hayes, Adam Jason  
Hazlett, Thomas F., III  
Hemann, Michael John  
Henning, Brett Howard  
Henry, Matthew Nicholas  
Hernandez, Joseph D.  
Heyen, John Matthew  
Hoffman, Timothy J.  
Hogan, Jeffery Clark  
Horan, Julie Marie  
Hurley, Adam Steven  
Hydukovich, Paul Michael  
Ingersoll, J. Scott  
Ingram, Bryan David  
Izzo, Paul David  
Jacobs, Charles Gearhart  
James, Kevin Lee  
Jervis, Richard M., Jr.  
Johnson, Mark T.  
Johnson, Ruth A.  
Jones, Chaesare Heather  
Jones, Robert W., II  
Jones, Stephen M.  
Jur, Tim Arthur

Kasinger, Jeremiah Jordan  
Keas, Ashley Nicole  
Keller, Vandiver William  
Kelly, Michael D.  
Kim, Jongmin  
Kirby, Joseph Ernest  
Krasick, Kurt Thomas  
Kraynak, Scott  
Kretzer, Cynthia Anne  
Krueger, Gary C.  
Kuebler, Drake Marcus  
Langstaff, Ronald A.  
Laramée, Elijah Thomas  
Larsen, Craig B.  
Larum, Mark L.  
Laubach, Jeffrey Wayne  
Laurence, Ronald B., Jr.  
Lavender, Joseph Alex  
Lefebvre, Marc A.  
Legorburu, Gabriel  
Legro, Andrew J.  
LeTellier, Lance L.  
Li, Tong  
Lilker, Bruce  
Linn, Jerry K.  
Lodewyck, David Francis  
Loftus, John Joseph, III  
Lombard, Patrick John  
Lowe, Stacey Marie  
Lueschow, Karl J.  
Lynch, Kevin James  
Lynskey, Gerard Kevin  
Macomber, Duncan William  
Mansell, Brent  
Martin, Timothy T.

Martinez-Chaluisant, Vonmarie  
Mass, Douglas C.  
Mastrantuono, Marc Paul  
Mattern, Beth Ann  
Mattes, David C.  
Mattice, Jason M.  
McCall, Joshua D.  
McClellan, Robert Peter  
McDonald, Cameron Lowe  
McFowland, Nickolas  
McGuire, Matthew Stephen  
McKinley, Scott W.  
Mecredy, Michael Edwards  
Merrell, David Sean  
Meszler, Christopher Philip  
Metsker, Martin Ray  
Meyer, John Edwin  
Middleton, Lisa Ann  
Milam, Timothy E.  
Miller, Andrew M.  
Miller, Cathy L.  
Miller, Christopher D.  
Miller, Michael D.  
Moilanen, Stephen Bernard  
Momtazzadeh, Shahram Steve  
Moore, Brian A.  
Morgan, Jeffrey Keith  
Morris, John Todd  
Moss, Todd Allen  
Mueller, Scott Anthony  
Mueller, Steven Carl  
Munsell, Lindsay Sagorski  
Nasrollahi, Massoud  
Neal, Anthony Jason  
Nevins, Thomas Richard

Nguyen, Du  
Nicolas, Noriel M.  
Niven, Kurt J.  
Nkunga, Alfred Utatala  
Nolen, C. Mark  
O'Bannon, Daniel Edward, III  
O'Brien, Patrick Francis, Jr.  
O'Callaghan, Matthew Robert  
Ochoa, Eugenio L.  
O'Laughlin, Casey George  
Oliver, Alexander Ryan  
Olson, Jonathan R.  
Olson, Kyle Alan  
Orrock, Marcus Bryan  
Ortiz, Steven M.  
Ott, Ryan Paul  
Overman, Temple Irene  
Packer, Shaun A.  
Pang, Alan Ah-Kum  
Parli, Benjamin L.  
Partington, Michael William  
Paton, Peter J.  
Patterson, Mark Edward  
Pearson, Carolyn Jean  
Peden, David L.  
Peleschak, Nathan D.  
Peradotti, John S.  
Perkins, Matthew K.  
Perry, William H.  
Pies, Nathan J.  
Pomerantz, Gary Howard  
Pope, Geoffrey Cole  
Powasnik, Mark Anthony  
Pund, Ralph L.  
Rahman, Mubeen Ur



## PROFESSIONAL ENGINEERS CONTINUED...

Reames, Daniel Allen	Sethi, Seemesh M.	Sutherland, Brandy	Ward, Michael D.
Reed, Christopher T.	Shannon, James B.	Swanson, Daniel L.	Washburn, Alan Dean
Reed, Jeffrey Pat	Sharp, Jeffery A.	Talecki, Anthony Joseph	Watkins, Matthew J.
Reid, Andrew William	Shawn, Al	Talley, Wayne Dominick	Westendorf, Brian M.
Reisweber, Nicholas Alan	Sheff, Barry S.	Taylor, Mark T.	Westermier, Andrew Wayne
Renken, Shawn Lewis	Sheffer, Daniel Brinton, II	Taylor, Samuel Joseph	Westlund, Chris J.
Rensch, Christopher C.	Shields, William Jay	Tegeler, Bret Andrew	Wheeler, Tiffany Nacole
Repella, Gregory	Singleton, David Dean	Thapa, Janak	White, Jason Robert
Richard, Christopher	Skorut, Patrick Mark	Theissen, Wes R.	Wickman, Chad Matthew
Richardson, Matthew Lucas	Smith, Bradley Tyler	Thornton, James Edward	Wild, Luke Joseph
Richey, Bennett	Smith, Dwight Burr, III	Thorpe, Brandon L.	Williams, Donald Dustin
Riggs, James D.	Smith, Houston R.	Thorpe, Mark L.	Williams, Eric G.
Ringwald, Andrew George	Smith, Matthew Benjamin	Tiemann, Robert Scott	Williams, Michael C.
Rittmeyer, Karl Detlev	Snider, Christopher L.	Tillman, Ernest M.	Williamson, Matthew J.
Roth, Ryan Matthew	Spaur, Mark Lee	Tomlin, Zack Lee	Williford, Drew R.
Ruff, Michael Allen	Speenburgh, Eric E.	Trello, Michael J.	Wilson, Jordan Lee
Rupp, Michael Kenneth	Staley, Michael Douglas	Trenshaw, Renee D.	Wissman, Cody James
Russell, Andrea Kathleen	Stanec, James Robert	Tripler, Matthew Justin	Witcher, Charles Roberson
Rutkowski, Matthew	Stanley, James David	Tucker, Gregory L.	Wren, Travis Anthony
Rutz, Frederick R.	Starr, Derek Alex	Turpin, Charles Justin	Wright, Jeremy T.
Sabraski, Steven Edward	Steed, P. D.	Uerling, Charles Stephen	Xuan, Gang
Salem, Naser	Stehler, Donald E.	Urbaniak, Thomas Francis	Yadhathi, Vennela
Santogatta, Joseph Michael	Stewart, Joshua Alan	Vaidya, Deepankar Kishor	Yager, Tobin C.
Say, Matthew D.	Stinson, Morgan W.	Van Gerve, Donald	Young, Jeffrey M.
Schall, Andrew James	Stonage, Richard Stanton, Jr.	VanderWeele, Bruce A.	Young, Nathan Dale
Schlueter, Theresa M.	Stovner, Eric Christian	Vargas, Alfonso , IV	Yurianto, Yurianto
Schoggin, Nicholas Vaughn	Straatmann, Andrea Michelle	Vinas, Fernando	Zablocki, Shawn W.
Schueler, John Michael	Stritzke, Todd A.	Vuppaladhadyam Rathnam, Karthic	Zeis, Melissa Anne
Schwager, Michael C.	Stromberg, Nicholas Orr	Wagner, Justin Gerard	Zink, Vincent J.
Schwartz, Corey Matthew	Styran, Terry P.	Wall, Michael Edward	Zoschke, Ezra
Seaverson, Eric John	Surani, Akash G.		





## PROFESSIONAL ENGINEERING CORPORATIONS/LLCS

The following corporations and LLCs were licensed between October 1, 2015 and April 1, 2016

AllCom Global Services, Inc.  
American Industrial Group, LLC  
Anvil Engineering, LLC  
Apex Engineering KY, LLC  
Aqueous Engineering, LLC  
ASA Dally, Inc.  
Atlantic Engineering Services, LLC  
Benham Design, LLC  
BH&D Engineering, Inc.  
Blattner Energy, Inc.  
BR+A LLC  
Burns & McDonnell Consulting, P.C.  
Buxton-Kubik-Dodd, Inc.  
Calder Richards Consulting Engineers, LLC  
Carter Engineering Consultants, Inc.  
CAT Forensic Services LLC  
Choice Engineering, LLC  
Construction Science and Engineering, Inc.  
Cosentini Associates, Inc.  
Crimson Engineering Associates, Inc.  
Crossed Swords Engineering LLC  
Ehresmann Engineering, Inc.  
Energy Squared Texas LLC  
Engineering Associates, LLC  
Essential Energy, LLC  
FDR Engineers, LLC  
Fetter Wire Rope Investigations, P.C.  
Fournier, Robson & Associates, LLC  
Franklin Engineers & Consultants, LLC

GAA Construction Engineering, LLC  
Hallberg Engineering, Inc.  
HGI Inc.  
Hoffmann Silo Corporation  
Hubbard Merrell Engineering Corporation  
Infrastructure Consulting & Engineering, LLC  
Integrated Facility Services, Inc.  
IPS Professional Engineers and Architects, PC  
Jimco Sales & Manufacturing, Inc.  
Kim Hoskins Environmental Consulting, LLC  
KJWW Corp.  
L.O. Engineering, LLC  
Landform Professional Services, LLC  
Lighting, Inc.  
Malouff Engineering, Incorporated  
MB Engineering, Inc.  
Mercer Software Solutions, LLC  
Mosaic Engineering and Consulting, P.C.  
Moseley Architects, P.C.  
NORESCO, LLC  
Obsidian Fire Consulting, LLC  
PECGA LLC  
Pinnacle Structural Engineers, Inc.  
Pollution Management, Inc.  
Power of Design Group, LLC  
Pure Technologies U.S. Inc.  
Redpoint Engineering LLC  
Reese Tower Services, Inc.  
Renken Engineering Solutions, LLC

Rensch Engineering LLC  
Rivett Legacy Design Group, LLC  
Sanborn, Head & Associates, Inc.  
SBB Engineering, LLC  
Schnabel Engineering, LLC  
SE Energy, LLC  
Soil and Materials Engineers, Inc.  
Special Inspections, LLC  
Spring Engineering, Inc.  
Statics Engineering Solutions, LLC.  
Stockwell Engineers, Inc.  
Strategic Structural Design, LLC  
Stutzki Engineering, Inc.  
Taylor Crane & Rigging, Inc.  
Techni Structures, Inc.  
The Vertex Companies, Inc.  
Tomarco Contractor Specialties, Inc.  
True Engineering Group, LLC  
United Conveyor Corporation  
United Missouri Corp.  
Universal Design Associates, Inc.  
Urban Structure, LLC  
Vertex McGlamery, Inc.  
Via Rail Logistics LLC  
Vortex Engineering, Inc.  
Washington Engineering & Architecture, Inc.  
Zahner & Associates, Inc.  
ZZ Consulting, P.C.



## PROFESSIONAL LAND SURVEYORS

The following individuals were licensed between October 1, 2015 and April 1, 2016

Barganier, James P.	Case, Jacob Charles	Kane, Lawrence J.	Moore, Christopher A.
Barnard, Thomas Matthew	Gustafson, Jason M.	Lawson, Jeremy Adam	Sandlin, Robert Craig
Brewer, Jon William	Hyde, Steven J.	Miller, Nicholas R.	Stuart, Eric Breithaupt

## PROFESSIONAL LAND SURVEYING CORPORATIONS/LLCS

The following corporations and LLCs were licensed between October 1, 2015 and April 1, 2016

AAA Real Estate & Auction Co., LLC	Massmann & Associates, LLC	Stockwell Engineers, Inc.
FA Commercial Due Diligence Services	Mercer Software Solutions, LLC	Shuler Land Surveying, LLC
Jeffco Surveying, LLC		

## PROFESSIONAL LANDSCAPE ARCHITECTS

The following individuals were licensed between October 1, 2015 and April 1, 2016

Beal, Roger Edwin	Justesen, Lara L.	Maurer, Mark A.
Bril, Jason William	Kehr, Bruce K.	Potter, Chad D.
DuBois, James E.	Kolpek, Jacqueline C.	Ward, Kyle David

## PROFESSIONAL LANDSCAPE ARCHITECTURAL CORPORATIONS/LLCS

The following corporations and LLCs were licensed between October 1, 2015 and April 1, 2016

Design Workshop, Inc.	Premier Civil Engineering, LLC	Verdigris Midwest, LLC
Landform Professional Services, LLC	SWA Group	

## DISCIPLINARY ACTIONS

**DISCLAIMER:** Every effort has been made to ensure that the following enforcement information is correct. However, this information should not be relied upon without verification from the Board office. It should be noted that the names of companies and individuals listed may be similar to the names of the parties who have not had enforcement actions taken against them. Discipline orders are public data and copies may be obtained by contacting the Board office. Pursuant to Chapter 327, RSMo, a licensee is entitled to engage in the practice of architecture, engineering, land surveying or landscape architecture during his/her probationary period providing that the licensee adheres to all of the terms and conditions of the Order. However, a licensee whose license has been suspended, is not entitled to engage in the practice of architecture, engineering, land surveying or landscape architecture during his/her suspension period.

### LICENSEES CURRENTLY ON SUSPENSION

**CORN, MICHAEL LEWIS, A-3427** (St. Louis, Missouri) – suspended pursuant to Section 324.010, RSMo, on June 21, 2014.

**GOMEZ, MARIO P., PE-19007** (Ladue, Missouri) – suspended pursuant to Section 324.010, RSMo, on November 21, 2009.

**GOODMAN, CHARLES LOUIS, PE-2005024489** (Manhattan, Kansas) – suspended pursuant to Section 324.010, RSMo, on June 21, 2014.

**GRAEFE, SAMUEL WARD, PE-18597** (Moore, Oklahoma) – suspended pursuant to Section 324.010, RSMo, on April 23, 2011.

**KLEIN, EDWARD F., PE-13977** (Kansas City, Missouri) – suspended pursuant to Section 324.010, RSMo, on May 21, 2012.

**LUCAS, MARTIN A., PLS-1857** (East Prairie, Missouri) – suspended pursuant to Section 324.010, RSMo, on November 21, 2009.

**STANLEY, HAROLD RAY, PE-19372** (Peculiar, Missouri) – suspended pursuant to Section 324.010, RSMo, on June 19, 2010.

**WOLF, DONALD R., PE-23385** (Lee's Summit, Missouri) – suspended pursuant to Section 324.010, RSMo, on June 21, 2014.

### LICENSEES CURRENTLY ON PROBATION

**BRADLEY, DENNIS M., A-4516** (Kansas City, Missouri) – probation commenced on December 5, 2011 and ends on December 4, 2016.

**DURHAM, JUSTIN GRAHAM, A-2009005512** (Lee's Summit, Missouri) – probation commenced on March 25, 2016 and ends on March 24, 2017.

**HASAN, AFSAR, PE-2013008031** (Irving, Texas) – probation commenced on January 19, 2016 and ends on January 18, 2017.

**HERMANS, ALBERT PAUL, PE-23306** (Independence, Missouri) – probation commenced on June 27, 2015 and ends on June 26, 2016.

**KHADKA, SUNIL, PE-2014000042** (Lenexa, Kansas) – probation commenced on December 23, 2015 and ends on December 22, 2016.

**LANKFORD, ALAN W., PE-24224** (Kansas City, Missouri) – probation commenced on June 19, 2015 and ends on June 18, 2016.

**LINDSEY, RAYBURN G., A-4903** (Paragould, Arkansas) – probation commenced on March 19, 2016 and ends on March 18, 2019.

**SAPP, MICHAEL F., A-4986** (Maryville, Illinois) – probation commenced on June 3, 2014 and ends on June 2, 2016.

**SCHALLER, BRIAN, PE-28703** (St. Louis, Missouri) – probation commenced on August 20, 2015 and ends on August 19, 2016.





**TENNILL, DANA DEAN, PE-17279** (St. Charles, Missouri) – probation commenced on February 10, 2016 and ends on February 9, 2017.

**WESTLAKE, PAUL E. JR., A-8053** (Cleveland, Ohio) – probation commenced on January 2, 2016 and ends on January 1, 2017.

## REVOCATIONS

### **KEY, DENNIS R., PLS-2444**

#### **McAlester, Oklahoma**

**Summary:** The Board received information that on October 15, 2013, a Grand Jury returned an Indictment in the United States District Court for the Western District of Missouri charging Mr. Key and a co-conspirator with forty counts of wrongdoing including the offenses of Bank Fraud and Conspiracy. By a Plea Agreement dated September 25, 2014, Mr. Key pled guilty to one count of Bank Fraud. As the basis for the plea of guilty, Mr. Key admitted to his participation in a scheme to defraud various banks, conducted in his role as a construction manager for a real estate developer, in which he and a co-conspirator prepared false, inflated bills and invoices in the names of subcontractors, presented them for payment, and deposited payments received into accounts opened in the name of an entity he and his co-conspirator controlled, diverted some of the funds obtained to his land surveying business, and in all obtaining by fraud the sum of \$567,676. On September 8, 2015, the District Judge sentenced Mr. Key to be imprisoned for a total term of 41 months, followed by five years of supervised release, with restitution of \$664,393 and a money judgment of \$553,622.55. On December 10, 2014, Mr. Key renewed his professional land surveyor's license for 2015-2016 using the Board's online renewal system. The renewal system required the applicant to indicate his agreement or disagreement with the proposition, "I have not been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of this state or any other state or of the United States whether or not sentence was imposed including suspended imposition of sentence, suspended execution of sentence and misdemeanor charges that I have not previously disclosed to this Board." Mr. Key selected a box indicating his agreement with the statement above. By selecting the statement in agreement, Mr. Key failed to reveal to the Board that he had pled guilty to the offense of Bank Fraud on September 25, 2014, when he renewed his license.

**Cause for Discipline:** Bank Fraud is a felony offense, an essential element of which is fraud and dishonesty, and which involves moral turpitude, and therefore a conviction of this offense is grounds for the Board to impose discipline on Mr. Key's license under the terms of Section 327.442.1, RSMo. The Board has grounds to disciplined Mr. Key's license as a professional land surveyor under the terms of Section 327.442.1, RSMo, based solely on the fact of his conviction of the offense of Bank Fraud.

**Board Action:** On November 10, 2015, the Board held a Disciplinary Hearing under Section 327.442, RSMo. Thereafter, the Board issued an Order revoking Mr. Key's professional land surveying license number PLS-2444. The Order became effective November 20, 2015.

**MICHEL, JAROD, A-2013004242****Springfield, Missouri**

**Summary:** The Board received information that on September 30, 2014, Mr. Michel was indicted in the United States District Court for the Western District of Missouri, Southern Division, on one count of knowingly receiving and distributing a visual depiction that had been mailed and shipped and transported in interstate commerce, the production of which involved visual depiction of a minor engaging in sexually explicit conduct. The conduct in question occurred between July 18, 2013 and May 20, 2014, in Greene County, Missouri. The Assistant United States Attorney stated on the record that the evidence would establish that a federal agent conducting an investigation of peer-to-peer file sharing software downloaded a video portraying sexual actions involving a three-year old child tracing to Mr. Michel's computer, and that 21 video files portraying sexual activity involving young children were found on Michel's computer after it was seized. On June 5, 2015, Mr. Michel pleaded guilty to the count of Receipt and Distribution of Child Pornography. On November 12, 2015, the Honorable Stephen R. Bough, Judge, U. S. District Court, Western District of Missouri, sentenced Mr. Michel to imprisonment for 72 months, participation in sex offender treatment, a fine of \$5,000; ten years supervised release after imprisonment, and forfeiture of a computer.

**Cause for Discipline:** Receipt and Distribution of Child Pornography is a felony offense, an essential element of which is fraud or dishonesty, and which involves moral turpitude, and therefore a plea of guilty to/conviction of this offense is grounds for the Board to impose discipline on Mr. Michel's license under the terms of Section 327.442.1, RSMo. The Board has grounds to discipline Mr. Michel's license as an architect under the terms of Section 327.442.1, RSMo, based solely on the fact of his guilty plea/conviction of the offense of Receipt and Distribution of Child Pornography.

**Board Action:** On January 26, 2016, the Board held a Disciplinary Hearing under Section 327.442, RSMo. Thereafter, the Board issued an Order revoking Mr. Michel's architectural license number A-2013004242. The Order became effective February 18, 2016.

**PROBATIONS****KHADKA, SUNIL, PE-2014000042****Lenexa, Kansas**

**Summary:** The Board received information on May 27, 2014, that Sunil Khadka, PE-2014000042, signed and sealed mechanical, electrical, and plumbing plans for renovations at Generator Studios in Kansas City, Missouri. Plans for the Generator Studios project, initially drawn up on May 5, 2014, included architectural plans sealed by a licensed architect on May 10, 2014; electrical and mechanical engineering plans sealed by Mr. Khadka on May 27, 2014; and, a vicinity map. The title block for the architectural plans listed Stephen P. Maslan and Company, Engineers/Designer, 8011 Paseo, Suite 211, Kansas City, Missouri, 64131, as the responsible entity. The title block did not contain information required by Board Rule 20 CSR 2030-2.050. The plans for the Generator Studios project were drawn by Rodney E. Smith and checked by Stephen P. Maslan, neither of whom were associated with Mr. Khadka's company, and sent to Mr. Khadka for review in already completed format. Mr. Khadka made revisions to the plans but left the title block in the name of Maslan and Company. The Generator Studios plans were not prepared under Mr. Khadka's immediate personal supervision as defined in 20 CSR



2030-13.010. On or about April 25, 2014, Mr. Khadka signed and sealed a letter drafted by Mr. Maslan addressed to Rod Leinen at the Development Office of Kansas City, which stated as to the Generator Studios project, “Please allow Stephen P Maslan to make changes to the mechanical, electrical, and plumbing plans for the above mentioned project.” At the time of the letter, Mr. Maslan held a probated professional engineering license in the state of Missouri, under which his scope of practice was limited to civil engineering. Mr. Maslan was not permitted to perform mechanical or electrical engineering at the time. Mr. Maslan did make the changes to the mechanical, electrical, and plumbing plans for the project, relying on Mr. Khadka’s letter. On or about May 27, 2014, Mr. Khadka signed and sealed mechanical, electrical, and plumbing plans for renovations at Screenland Theater in Kansas City, Missouri. The plans sealed by Mr. Khadka were submitted by Maslan and Company to Plan Review at the Development Office of Kansas City. The plans for the Screenland Theater project were drawn by Rodney E. Smith and checked by Stephen P. Maslan, neither of whom were associated with Mr. Khadka’s company, and sent to Mr. Khadka for review in already completed format. Mr. Khadka made revisions to the plans but left the title block in the name of Maslan and Company. The title block did not contain information required by Board Rule 20 CSR 2030-2.050. The Screenland Theater plans were not prepared under Mr. Khadka’s immediate person supervision as defined in 20 CSR 2030-13.010. On July 7, 2014, Mr. Khadka signed and sealed mechanical, electrical, and plumbing plans for renovations at Merdad’s Basement Catering in Kansas City, Missouri. The plans sealed by Mr. Khadka were submitted by Maslan and Company to Plan Review at the Development Office of Kansas City. The plans for the Merdad’s Basement Catering project were drawn by Rodney E. Smith and checked by Stephen P. Maslan, neither of whom were associated with Mr. Khadka’s company, and sent to Mr. Khadka for review in already completed format. Mr. Khadka made revisions to the plans but left the title block in the name of Maslan and Company. The title block did not contain information required by Board Rule 20 CSR 2030-2.050. The Merdad’s Basement Catering plans were not prepared under Mr. Khadka’s immediate personal supervision as defined by 20 CSR 2030-13.010.

**Cause for Action:** Cause exists for the Board to discipline Mr. Khadka’s professional engineering license pursuant to Section 327.441.2(6), RSMo, by violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter; and, Section 327.441.2(10), RSMo, by assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not licensed and currently eligible to practice pursuant to this chapter.

**Board Action:** The Board authorized the Missouri Attorney General’s Office to proceed with settlement. Thereafter, on December 1, 2015, Mr. Khadka signed a Settlement Agreement with the Board agreeing to placing his professional engineering license number PE-2014000042 on probation for one year commencing on December 23, 2015 and ending on December 22, 2016.

## **WESTLAKE, PAUL E. JR., A-8053**

### **Cleveland, Ohio**

**Summary:** The Board received information that on July 8, 2014, Mr. Westlake signed a Consent Agreement with the Alabama Board of Registration of Architects. In the Consent Agreement, Mr. Westlake acknowledged that he failed to disclose a material fact on his application for registration in the state of Alabama. In the settlement of the matter in Alabama, Mr. Westlake agreed to pay an administrative penalty in the form of administrative, investigative, and legal expenses in the amount of \$250. The Consent Agreement





was signed by the Alabama Board Executive Director on July 21, 2014. Mr. Westlake renewed his Missouri license with a renewal form signed on October 27, 2014. One of the questions on the renewal form asked: “In any other licensing jurisdiction, have you been the subject of disciplinary action, or entered into any type of settlement agreement, providing any limitation on your ability to practice, or monetary penalty or payment of costs that you have not previously disclosed to the Board?” In response to the question, Mr. Westlake checked a box indicating the answer “No.” By answering “No” to the question as to the discipline on his Missouri renewal form, Mr. Westlake failed to reveal the Alabama discipline imposed in the Consent Agreement.

**Cause of Action:** Cause exists for the Board to discipline Mr. Westlake’s architectural license pursuant to Section 327.441.2(3), RSMo, by use of fraud, deception, misrepresentation or bribery in securing any license or certificate of authority issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter; Section 327.441.2(6), RSMo, by violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter; and, Section 327.441.2(8), RSMo, by disciplinary action against the holder of a license or a certificate of authority, or other right to practice any profession regulated by this chapter granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state.

**Board Action:** The Board authorized the Missouri Attorney General’s Office to proceed with settlement. Thereafter, on December 10, 2015, Mr. Westlake entered into a Settlement Agreement with the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects whereby agreeing to place his architectural license number A-8053 on probation for a period of one year commencing on January 2, 2016 and ending on January 1, 2017.

## **HASAN, AFSAR, PE-2013008031**

### **Irving, Texas**

**Summary:** The Board received information that on September 12, 2014, Mr. Hasan signed and sealed a set of plans for a Burger King project in Bridgeton, Missouri. The plans were prepared by and bore the title block of One! Architecture of Phoenix, Arizona, an architectural firm with which Mr. Hasan has no formal affiliation. The plans were prepared by One! Architecture and emailed to the Director of Business Operations at The Dimension Group, Inc. The plan bore a legend that they were drafted by an individual whose initials were “E.W.” At the time Mr. Hasan sealed the plans, “E.W.” was not associated with The Dimension Group and Mr. Hasan did not know who “E.W.” was. The Bridgeton plans dealt with technical information such that their preparation involved the performance of professional engineering. The Bridgeton plans were prepared by employees of One! Architecture prior to their submission to Mr. Hasan for approval, and were not prepared under his personal supervision. Neither One! Architecture, nor any employee of that company, or the supervising architect is licensed to practice professional engineering in Missouri.

**Cause of Action:** Cause exists for the Board to discipline Mr. Hasan’s professional engineering license pursuant to Section 327.441.2(6), RSMo, by violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter; and, Section 327.441.2(10), RSMo, by assisting and enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not licensed and currently eligible to practice pursuant to this chapter.

**Board Action:** The Board authorized the Missouri Attorney General’s Office to proceed with settlement. Thereafter, on December 16,



2015, Mr. Hasan entered into a Settlement Agreement with the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects whereby agreeing to place his professional engineering license number PE-2013008031 on probation for a period of one year commencing on January 19, 2016 and ending on January 18, 2017.

### **TENNILL, DANA DEAN, PE-17279**

#### **St. Charles, Missouri**

**Summary:** The Board received information that between 1988 and 2014, Mr. Tennill served as a subcontractor for Ozark Fire Protection, Inc., later Ozark Fire Sprinkler Co., Inc. (Ozark). In this capacity, Mr. Tennill frequently designed or reviewed fire sprinkler designs to be built by Ozark. In the late 1990's, Ozark began hiring its own drafting staff who prepared designs and drawings and submitted them to Mr. Tennill for approval and sealing. At some point, Mr. Tennill printed a sheet of his professional seal in sticky-back format, signed the printed seals, and provided them to Ozark to affix to plans in order to expedite application for permits. Mr. Tennill arranged with Ozark to send him designs for sprinkler systems, with the understanding he would approve them and instruct Ozark staff to use one of the seals on the project. Mr. Tennill did not control application of the seals to drawings and did not know what had become of the seals once his relationship with Ozark ended. The work to which Mr. Tennill's seals were affixed was performed by Ozark staff, not under Mr. Tennill's immediate personal supervision. On February 10, 2014, Ozark submitted to the Fire Marshall for the City of Sunrise Beach a set of plans for a fire suppression system at the Hurricane Deck Elementary School in Sunrise Beach, Missouri. The plans submitted by Ozark bore a copy of Mr. Tennill's seal attached rather than printed onto the plans. The plans for the school were prepared by an unlicensed designer at Ozark, not under Mr. Tennill's immediate personal supervision. Mr. Tennill's seal was fixed to the plan by an unlicensed administrative assistant, not under Mr. Tennill's personal supervision.

**Cause of Action:** Cause exists for the Board to discipline Mr. Tennill's professional engineering license pursuant to Section 327.441.2(6), RSMo, by violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter; and, Section 327.441.2(10), RSMo, by assisting and enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not licensed and currently eligible to practice pursuant to this chapter.

**Board Action:** The Board authorized the Missouri Attorney General's Office to proceed with settlement. Thereafter, on January 21, 2016, Mr. Tennill entered into a Settlement Agreement with the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects whereby agreeing to place his professional engineering license number PE-17279, on probation for a period of one year commencing on February 10, 2016 and ending on February 9, 2017.

### **LINDSEY, RAYBURN G., A-4903**

#### **Paragould, Arkansas**

**Summary:** The Board received information that Mr. Lindsey had been disciplined by the Arkansas Board. The Arkansas Board found that Mr. Lindsey violated the Arkansas Board's Rules and Regulations which provides, "a registered architect whose seal appears on drawings or specification prepared by persons who were not registered or not under the architect's direct supervision will be deemed to

have aided or abetted in the practice of architecture by a person not duly authorized..." The Arkansas Board also found that Mr. Lindsey violated the Arkansas Board's Rules and Regulations which provides "in designing a project, a registered architect shall endeavor to take into account all applicable state and municipal building laws and regulations. While a registered architect may rely on the advice of other professions, such as attorneys, engineers, and other qualified persons, as to the intent and meaning of such regulations, once having obtained such advice a registered architect shall not knowingly design a project in violation of such laws and regulations." The Arkansas Board found that Design Tech Associates, which did not hold a certificate of authority as an architectural firm, had performed acts defined as the practice of architecture in violation of Arkansas Code and Board Rules, and that Mr. Lindsey had aided Design Tech Associates in doing so in violation of Arkansas Board Rules. The Arkansas Board found that Mr. Lindsey had copied another architect's plans, removed the title block, added his own title block, prepared on an additional sheet, and stamped the altered plans. The Arkansas Board further found that the building permit was rejected by the city based on gross inadequacy of code compliance and incompetency of the design professional. Based on its findings, the Arkansas Board ordered Mr. Lindsey to pay to the Board a fine in the amount of \$5,000 and submit to the Board proof of completion of eight hours of Continuing Education Units.

**Cause of Action:** Cause exists for the Board to discipline Mr. Lindsey's architectural license pursuant to Section 327.441.(5), RSMo, by incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter; Section 327.441.2(6), RSMo, by violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter; Section 327.441.2(8), RSMo, by disciplinary action against the holder of a license or a certificate of authority, or other right to practice any profession regulated by this chapter granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state; and, Section 327.441.2(10), RSMo, by assisting and enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not licensed and currently eligible to practice pursuant to this chapter.

**Board Action:** The Board authorized the Missouri Attorney General's Office to proceed with settlement. Thereafter, on February 25, 2016, Mr. Lindsey entered into a Settlement Agreement with the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects whereby agreeing to place his architectural license number A-4903 on probation for a period of three years commencing on March 19, 2016 and ending on March 18, 2019.

## **DURHAM, JUSTIN GRAHAM, A-2009005512**

### **Lee's Summit, Missouri**

**Summary:** The Board received information that Mr. Durham had been employed by Crowley, Wade, Milstead, Inc., an architectural corporation in Independence, Missouri. Mr. Durham was employed in a variety of capacities during his 13 years of employment with Crowley, Wade, Milstead, Inc. On August 12, 2013, he announced his resignation. Immediately after resigning from Crowley, Wade, Milstead, Inc., he was employed by Hollis and Miller Architects, Inc., another architectural corporation with offices in Lee's Summit, Missouri and Overland Park, Kansas. Mr. Durham is currently employed by Hollis and Miller Architects, Inc. During the time Mr. Durham was employed by Crowley, Wade, Milstead, Inc., he had access to, and created, documents including certain computer assisted design and drafting files and/or building information modeling software files containing drawings and specifications, and other information,



created by Crowley, Wade, Milstead, Inc.'s design professional for the purpose of estimating, bidding, and delivery of construction projects for its clients. During Mr. Durham's employment period, it was Crowley, Wade, Milstead, Inc.'s policy to retain its status as author and owner of the construction documents generated for the purpose of conducting its business. Crowley, Wade, Milstead, Inc.'s stated policy is to retain all common law, statutory, and other reserved rights with regard to those documents, including copyrights, and prohibiting re-use of its construction documents without the prior written agreement of Crowley, Wade, Milstead, Inc. Mr. Durham was aware of this policy. Crowley, Wade, Milstead, Inc. never entered into an agreement with Mr. Durham or with Hollis and Miller Architects, Inc. authorizing the use of its designs, drawings, data, reports, notes, construction documents, or other materials relating to Crowley, Wade, Milstead, Inc.'s work, and has never waived or disclaimed its rights regarding the same. Between February 2, 2010 and August 12, 2013, during the time Mr. Durham had daily access to the files, he appropriated digital copies of construction documents belonging to Crowley, Wade, Milstead, Inc. by making copies of the files on Crowley, Wade, Milstead, Inc.'s hard drive and retaining those copies for his own use without authorization from Crowley, Wade, Milstead, Inc. In and around the months of November and December, 2014, Mr. Durham created design materials for construction projects on behalf of Hollis and Miller Architects, Inc. using files owned by Crowley, Wade, Milstead, Inc., and taken without authorization or permission from Crowley, Wade, Milstead, Inc., for his own benefit and for the benefit of his new employer, Hollis and Miller Architects, Inc.

**Cause of Action:** Cause exists for the Board to discipline Mr. Durham's architectural license pursuant to Section 327.441.2(13), RSMo, by the violation of any professional trust or confidence, in that Mr. Durham appropriated digital copies of construction documents belonging to Crowley, Wade, Milstead, Inc. for his own use without authorization or permission from Crowley, Wade, Milstead, Inc. and by using them to create design materials for another employer.

**Board Action:** The Board authorized the Missouri Attorney General's Office to proceed with settlement. Thereafter, on February 22, 2016, Mr. Durham entered into a Settlement Agreement with the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects whereby agreeing to place his architectural license number A-2009005512 on probation for a period of one year commencing on March 25, 2016 and ending on March 24, 2017. In addition, Mr. Durham agreed to take and pass 8 hours of coursework in ethics, which shall include employee/employer relations as part of the coursework. Mr. Durham is required to provide the Board with a certificate of completion of the coursework which shall include verification of a passing grade for the course.

## CIVIL PENALTY

### GALLOWAY, TROY (NOT LICENSED)

#### Ellisville, Missouri

**Summary:** The Board received a complaint on or about May 25, 2012 alleging Mr. Galloway d/b/a Galloway Homes and Inspections completed a pre-purchased HUD home inspection on a home in St. Louis, Missouri for the complainant. At the time of the home inspection, Mr. Galloway represented himself, to the complainant, as a licensed engineer using the credentials of Building Engineer License #101094 and ASHI License #250704. Building Engineer License #101094 was not issued by the Missouri Board and is not an active license. ASHI License #250704 is Mr. Galloway's American Society of Home Inspector's (ASHI) membership number, which has



been inactive since November 2013. Mr. Galloway's inspection report failed to disclose multiple problems with the property including, but not limited to the following: 1) the cause of extensive water damage throughout the interior of the house; and, 2) improper construction of the exterior walls using drywall rather than an appropriate material such as wood. The complainant relied on Mr. Galloway's home inspection report and representation as a licensed engineer to make the decision to purchase the home and was later required to pay thousands of dollars in repairs due to the failure of Mr. Galloway's inspection report to disclose the issues. Mr. Galloway has now affirmed that he has ceased using any language stating or implying that he is an engineer, and has ceased referring to Building Engineer #101094 and ASHI License #250704 in describing his services.

**Cause of Action:** Section 327.076.2, RSMo, states in pertinent part: The Board may cause a complaint to be filed with the Administrative Hearing Commission, as provided in Chapter 621, RSMo, against any unlicensed person who: (1) engages in or offers to render or engage in the practice of architecture, professional engineering, professional land surveying, or professional landscape architecture.... The Board had cause to proceed with assessing a civil penalty because Mr. Galloway held himself out as willing or able to render engineering services by referring to himself as an engineer.

**Board Action:** The Board authorized the Missouri Attorney General's Office to proceed with settlement. Thereafter, on March 9, 2016, Mr. Galloway entered into a Settlement Agreement with the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects. In the Settlement Agreement, Mr. Galloway agreed to pay \$5,000 in civil penalties, which shall be handled in accordance with the provisions of section 7 of article IX of the Missouri Constitution. In determining the amount the Board decided to impose on Mr. Galloway, it considered the deterrent affect the penalty would have, the circumstances that led to the violations, the severity of the violation and risk to the public, the economic benefits gained by Mr. Galloway, and the interests to the public. Within 60 days of the date of the Order, Mr. Galloway shall issue a cashier's check or money order in the amount of \$2,500 made payable to Tishaura O. Jones, Treasurer, City of St. Louis, Missouri, for payment to the county school fund. Thereafter, on June 1, 2016, and the first day of each month until January 1, 2018, Mr. Galloway shall deliver or mail to the Board's Office a cashier's check or money order for \$125 payable to Tishaura O. Jones, Treasurer, City of St. Louis, Missouri, for payment to the county school fund.

## **PHILLIPS, EUGENE (NOT LICENSED)**

### **Eureka, Missouri**

**Summary:** The Board received a complaint alleging that on December 6, 2014, Mr. Philips signed and affixed what appeared to be a professional engineer's seal to several plans for a church in St. Louis, Missouri. The seal affixed by Mr. Phillips bore the legend of the Board, and the license number of E-27612. The Board never issued license number E-27612, or any other professional engineer's license, to Mr. Phillips. License number E-27612 was assigned to another individual who did not complete the requirements for licensure, so no license by that number has ever been issued in the state of Missouri. The plans for the church included mechanical, electrical, plumbing, fire alarm floor plan, and exit/emergency lighting drawings. Each of the plans included work which constitutes the practice of professional engineering. The plans were submitted to the St. Louis County Public Works Plan Review for permit approval. Thereafter, on January 12, 2015, Mr. Phillips affixed the same seal to a set of plans for a project on behalf of a funeral home in St. Louis, Missouri. These plans included mechanical/plumbing and electrical drawings. Each of these plans included work which constitutes the



practice of professional engineering. The plans were submitted to the St. Louis County Public Works Plan Review for permit approval. Mr. Phillips maintained a LinkedIn site at which he was identified as Eugene Phillips, P.E., Principal/Electrical Engineer at Design Consulting Engineering (DCE).

**Cause of Action:** By affixing a false seal and signing documents identifying himself as a professional engineer, Mr. Phillips has practiced as a professional engineer and by describing and advertising himself as a professional engineer, Mr. Phillips has offered to render or hold himself out as willing or able to render service which involves engineering skill and knowledge, and thus has practiced as a professional engineer within the meaning of Section 327.181, RSMo, which is prohibited by Section 327.191, RSMo. Section 327.441.2, RSMo, states in part: The Board may cause a complaint to be filed with the Administrative Hearing Commission as provided by Chapter 621, RSMo, against any holder of any license or certificate of authority required by this chapter or any person who has failed to renew or has surrendered such person's license or certificate of authority, for any one or any combination of the following causes: (4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation; (5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter; (6) Violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter; (7) Impersonation of any person holding a license or certificate of authority, or allowing any person to use his or her license or certificate of authority, or diploma from any school; (13) Violation of any professional trust or confidence; and, (14) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed.

**Board Action:** The Board authorized the Missouri Attorney General's Office to proceed with settlement. Thereafter, on March 22, 2016, Mr. Phillips entered into a Settlement Agreement with the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects. In the Settlement Agreement, Mr. Phillips agreed to pay \$10,000 in civil penalties, which shall be handled in accordance with the provisions of section 7 of article IX of the Missouri Constitution. In determining the amount the Board decided to impose on Mr. Phillips, it considered the deterrent affect the penalty would have, the circumstances that led to the violations, the severity of the violation and risk to the public, the economic benefits gained by Mr. Phillips, and the interests to the public. Within 60 days of the date of the Order, Mr. Phillips shall issue a cashier's check or money order in the amount of \$10,000 made payable to the St. Louis County Treasurer, St. Louis County, Missouri, for payment to the county school fund. In addition, Mr. Phillips shall cease and desist all professional engineer activity and advertisement until such time as Mr. Phillips obtains a license to practice professional engineering from the Board.





## CEU/PDH/PDU CERTIFICATE

**Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects**

NAME OF SPONSOR

This is to certify that the person named below has earned 0.5 CEU for Architects and Professional Landscape Architects, 0.5 PDH for Professional Engineers, or 0.5 PDU for Professional Land Surveyors by thoroughly reading the Spring/Summer 2016 edition of the Missouri Board's newsletter entitled ***Dimensions***.

NAME OF PARTICIPANT

**ATTESTATION:** I attest, by the responses recorded below, my signature, and on my professional honor, that I have personally read and am familiar with the Spring/Summer 2016 edition of the Board's newsletter entitled ***Dimensions***.

Record the rule numbers of the three recent rule changes and the pages on which they are referenced:

\_\_\_\_\_

Record the most effective way for the Board to communicate with licensees and stakeholders and the page on which it is referenced:

\_\_\_\_\_

Record the number of complaints filed against individuals and corporations in 2015 which were charged with practicing Architecture, Professional Engineering, Land Surveying and/or Landscape Architecture without being properly licensed and the page on which it is referenced:

\_\_\_\_\_

Record the link where you can view the Board's website and the page on which it is referenced:

\_\_\_\_\_

SIGNATURE OF LICENSEE

DATE

LICENSE NUMBER

NOTE: If you claim credit for reading the newsletter and are audited, you will be required to produce this completed certificate as documentation. Therefore, you are to print and keep a copy of this completed certificate in your file with your other supporting documentation. This credit does not count toward your HSW quota.